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www.airports.co.za

Airports Company South Africa SOC Ltd
Reg No 1993/004149/30 VAT No 4930138393



Request for Proposals for the Supply, installation, and commissioning of upgraded version of passenger loading bridges software for both Apron drive and Nose loaders Passenger Boarding Bridges (PBB) including the replacement of Ground Power Units (GPU) with the latest version for compatibility for a Period of 5 Months at Airports Company South Africa's Corporate Offices King Shaka International Airport – SCM Reference KSIA6879/2022/RFP

Tender Number: : KSIA6879/2022/RFP

Issue Date : 20 July 2022

Closing Date : 23 August 2022 12 Noon (During the day)

Briefing Session Date and Time : 28 July 2022 11 am (Non-Compulsory)

Site Inspection : 27 July 2022 11 am (Non-Compulsory)

1. SECTION 1: INSTRUCTIONS TO BIDDERS

1.1. Access to RFP documents

Tenders are available on www.etenders.gov.za and www.airports.co.za. Kindly print and complete.

1.2. Submission of bid documents

The envelopes containing bid documents must have on the outside, the bidder's return address, the full description of the tender, tender number and the details of the Tender Management Office/Procurement department where the bid will close. The documents must be signed and completed by a person who has been given authority to act on behalf of the bidder. The bottom of each page of the bid documents must be signed or stamped with the bidder's stamp as proof that the bidder has read the tender documents. Bid documents must be submitted on or before **12 PM on 23 of August 2022** using the following method(s):
*(*Choose acceptable delivery methods and delete out whichever is not applicable)*

1.2.1. Hand delivery:

The bid document must be delivered to the Tender Management Office/Senior Buyer located at the address below and must be addressed as follows:

AIRPORTS COMPANY SA SOC LTD

KING SHAKA INTERNATIONAL AIRPORT

LA MERCY

MULTI STOREY OFFICE BLOCK (MSO Building)

RECEPTION

GROUND FLOOR

NEAR PICK-UP ZONE

1.2.2. Tender box:

The Tender box is located at:

AIRPORTS COMPANY SA SOC LTD
KING SHAKA INTERNATIONAL AIRPORT
LA MERCY
MULTI STOREY OFFICE BLOCK
RECEPTION
GROUND FLOOR
NEAR PICK-UP ZONE

OFFICE HOURS 8am – 4pm

CLOSED ON THE WEEKENDS AND PUBLIC HOLIDAYS

1.2.3. Email submissions: **PLEASE DO NOT FAX AND PLEASE DO NOT EMAIL**

1.2.4. Proposals must be in duplicate (an original printed copy and a printed copy of the original). The original copy will be the legal and binding copy, in the event of discrepancies between any of the submitted documents; the original copy will take precedence

1.3. Alternative Bids (NOT APPLICABLE)

1.4. **Late Bids**

Bids which are submitted after the closing date and time **will not be accepted.**

1.5. **Clarification and Communication**

Name: Johnson Mji

Designation: Senior Buyer

Tel: 032 436 6567

Email: Procurement3.KSIA@airports.co.za

Fax: N/A

- 1.5.1. Request for clarity or information on the tender may only be requested until **15 August 2022**
- 1.5.2. Any responses to queries or for clarity sought by a bidder will also be sent to all the other entities which have responded to the Request for Proposal.
- 1.5.3. Bidders may not contact any ACSA employee on this tender other than those listed above. Contact will only be allowed between the successful bidder and ACSA Business Unit representatives after the approval of a recommendation to award this tender. Contact will also only be permissible in the case of pre-existing commercial relations which do not pertain to the subject of this tender.

1.6. **Non-Compulsory Briefing and Non-Compulsory Site Inspection** will be held as follows

Briefing Session Date and : 28 July 2022 11 am

Site Inspection : 27 July 2022 11 am

*(*Physical address)*

AIRPORTS COMPANY SA SOC LTD

KING SHAKA INTERNATIONAL AIRPORT

LA MERCY

MULTI STOREY OFFICE BLOCK

RECEPTION

GROUND FLOOR

NEAR PICK-UP ZONE

1.7. **Bid Responses**

Bid responses must be strictly prepared and returned in accordance with this tender document. Bidders may be disqualified where they have not materially complied with any of ACSA's requirements in terms of this tender document. Changes to the bidder's submission will not be allowed after the closing date of the tender. All bid responses will be regarded as offers unless the bidder indicates otherwise. No bidder or any of its consortium/joint venture members may have an interest in any of the other bidder/joint venture/consortium participating in this bid.

1.8. **Disclaimers**

It must be noted that ACSA reserves its right to:

- 1.8.1. Award the whole or a part of this tender;
- 1.8.2. Split the award of this tender;
- 1.8.3. Negotiate with all or some of the shortlisted bidders;
- 1.8.4. Award the tender to a bidder other than the highest scoring bidder where objective criteria allow;
- 1.8.5. To reject the lowest acceptable tender received; and/or
- 1.8.6. Cancel this tender.

1.9. **Validity Period**

(*Please ensure that the validity period stated below will allow ACSA to properly evaluate and finalise the process)

- 1.9.1. ACSA requires a validity period of 120 working days for this tender. During the validity

period the prices which have been quoted by the bidder must remain firm and valid. It is only in exceptional circumstances where ACSA would accommodate a proposal to change the price.

1.10. Confidentiality of Information

- 1.10.1. ACSA will not disclose any information disclosed to ACSA through this tender process to a third party or any other bidder without any written approval from the bidder whose information is sought. Furthermore,
- 1.10.2. ACSA will not disclose the names of bidders until the tender process has been finalised.
- 1.10.3. Bidders may not disclose any information given to the bidders as part of this tender process to any third party without the written approval from ACSA. In the event that the bidder requires to consult with third parties on the tender, such third parties must complete confidentiality agreements, which should also be returned to ACSA **with the bid**.

1.11. Hot – Line

ACSA subscribes to fair and just administrative processes. ACSA therefore urges its clients, suppliers and the general public to report any fraud or corruption to:

Airports Company South Africa TIP-OFFS ANONYMOUS

Free Call: 0800 00 80 80

Free Fax: 0800 00 77 88

Email: acsa@tip-offs.com

2. SECTION 2: PRE-QUALIFICATION CRITERIA (NOT APPLICABLE)

- 2.1. In terms of the PPPFA Regulation 4, an organ of state can apply pre-qualifying criteria to advance certain Designated Groups.
- 2.2. A tenderer that fails to meet the above-mentioned pre-qualifying criteria at closing date, will be disqualified.
NOT APPLICABLE

3. SECTION 3: LOCAL CONTENT AND PRODUCTION (COMPLETE THIS SECTION IF APPLICABLE, IF NOT, STATE NOT APPLICABLE)

3.1. Introduction

In terms of the PPPFA bids in respect of goods, services or works that have been designated for local production and content, must contain a specific bidding condition that only locally produced goods, services or works or locally manufactured goods with a stipulated minimum threshold for local content and production will be considered. This tender falls within a designated sector and ACSA is therefore required to stipulate the minimum threshold for local production and content. The minimum threshold for local content and production for this tender is _____ of the bid price. Any bidder who fails to meet the minimum threshold for local production and content will be disqualified from the process. To this end, bidders must complete a declaration certificate for local content and production (SBD 6.2) which is Annexure of this tender document. Failure to return a completed SBD 6.2 form will make a bidder liable for disqualification.

3.2. Calculation of local content and production

Local content means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place. Imported content means the portion of the bid price represented by the cost the cost of components, parts or materials which have been or are still imported (whether by the supplier or its sub-contractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs, such as landing costs, dock dues, import duty, sales duty or other similar tax or duty at the South African port of entry. The South African Bureau of Standards (SABS) approved technical specification number SATS 1286:201x will be used to calculate local content. The formula to be used to calculate local content is as follows:

$$LC = 1 \left(\frac{x}{y} \right) \times 100$$

Where:

X represents imported content

Y represents bid price excluding value added tax

Prices referred to in the determination of x will be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid.

3.3. Declaration certificate for local production and content (SBD 6.2)

- 3.3.1. This Standard Bidding Document (SBD) must form part of all invited bids. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).
- 3.3.2. Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the PPPFA and the SABS approved technical specification number SATS 1286:201x.

3.4. General Conditions

- 3.4.1. PPPFA (Regulation 8 makes provision for the promotion of local production and content.
- 3.4.2. Regulation 8(2) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 3.4.3. Where necessary, for bids referred to in paragraphs 2.4.2, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 3.4.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 3.4.5. A bid will be disqualified if:
 - 3.4.5.1. The bidder fails to achieve the stipulated minimum threshold for local production and content indicated in paragraph 2.6 below; and
 - 3.4.5.2. The completed SBD 6.2 form together with its declaration, is not submitted as part of the bid documentation.

3.5. Definitions

- 3.5.1. **“Bid”** means a written offer in a prescribed or stipulated form in response to an invitation by ACSA for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 3.5.2. **“Bid Price”** price offered by the bidder, excluding value added tax (VAT);
- 3.5.3. **“Contract”** means the agreement that results from the acceptance of a bid by an ACSA;
- 3.5.4. **“Designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local

production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;

- 3.5.5. **“Duly Sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility(close corporation, partnership or individual).
- 3.5.6. **“Imported Content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 3.5.7. **“Local Content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 3.5.8. **“Stipulated Minimum Threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and
- 3.5.9. **“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.

3.6. The stipulated minimum threshold(s) for local production and content for this bid is/are as follows:

<u>Description of service, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

3.7. Does any portion of the services, works or goods offered have any imported content? YES/NO

3.8. If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 2.3 above must be the rate(s) published by SARB for the specific currency at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid.

3.9. The relevant rates of exchange information is accessible on www.reservebank.co.za.

3.10. The rate(s) of exchange against the appropriate currency is as follows:

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate(s) of exchange used.

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER / PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF RFP No. KSIA6879/2022/RFP

ISSUED BY: (Airports Company South Africa SOC Ltd):

NB: The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

I, the undersigned, _____ (full names),
do hereby declare, in my capacity as _____
of _____ (name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286.
- (c) The local content has been calculated using the formula given in clause 3 of SATS 1286, the rates of exchange indicated in paragraph 2.3 above and the following figures:

Bid price, excluding VAT (y)	R...
Imported content (x)	R...
Stipulated minimum threshold for Local content (paragraph 2.6 above)	
Local content % , as calculated in terms of SATS 1286	

If the bid is for more than one product, a schedule of the local content by product shall be attached.

- (d) I accept that the Airports Company South Africa SOC Ltd has the right to request that the local content be verified in terms of the requirements of SATS 1286.



- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286, may result in the Airports Company South Africa SOC Ltd imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Procurement Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No.1: _____

DATE: _____

WITNESS No 2: _____

DATE: _____

4. SECTION 4: BACKGROUND, PURPOSE AND SCOPE OF WORK

4.1. Background

- 4.1.1. Since inception approximately 20 years ago, Airports Company South Africa Limited (ACSA) has transformed into a focused, profitable and commercial enterprise that is market-driven and customer service oriented. The principal ACSA sites comprise of major international airports namely O.R. Tambo (ORTIA), Cape Town (CTIA) and King Shaka (KSIA). The other sites are, Bram Fischer (Bram), Upington (UTN), Port Elizabeth (PLZ), East London Airport, George Airport, Kimberley Airport and the Corporate Office.
- 4.1.2. The sustained growth in traffic over the years, coupled with a creative and performance focused management and leadership team have contributed to the Company's excellent financial performance over time. This has enabled the Company to transform South Africa's airports into world-class airports, delivering value for customers, stakeholders, shareholders and employees.
- 4.1.3. ACSA is focused on creating and operating world-class airports measuring up to international standards. Numerous international awards won by certain of its airports over the years confirm that the Company has largely succeeded in this aim. This is also shown in the latest ratings for example, O.R. Tambo, Cape Town and King Shaka international airports rated first, second and third respectively in the Best Airport ACI-ASQ awards for Africa

4.2

Background

Passenger loading bridges at King Shaka International airport are made by Thyssenkrupp and have been in operation since 2010. These units are using HMI XBTGT5340 that have become redundant/discontinued. This redundancy of these units was made known to the airport by the system operator when one of them failed to operate. The latest version of these units is not compatible with the old software version that that airport has.

The replacement of base GTU HMIG5U2 is a result of HMI screen failure on HMI XBTGT5340 which necessitated the software upgrade for compatibility.

The replacement product recommended by the supplier is the new touchscreen HMIDT542 10,4" (Schneider Electric) or similar product, all products must be approved or recommended by the OEM. The system must come with an updated keypad and touchscreen user interface designed, recommended or approved by the PBB- OEM to facilitate the use of the PBB to both new and experience PBB operators.

Benefits of the upgraded version:

The AXA 2400 Compact is a true Power factor 1 ground power unit that allows for 400% overload which means that it can be used for all types of aircraft from the narrow-body to the wide-body incl.

B787/A350/A380

- Delivery of a compact product, allowing additional space in the control panel
- Clear software interface, allowing a quick understanding of the status of the PBB
- Facilitates troubleshooting including a clear and comprehensive PLC I/O status screens
- Facilitates calibration and testing of the key systems of the PBB
- Simple maintenance. Off the shelf available components.
- Facilitates incident/fault investigation:
- Stores within the HMI memory the last 4.000 events and alarms
- Enables storing of history files onto a standard compact flash memory card
- Enables downloading alarms and events reports onto a USB memory stick in .csv format.

4.3

Detailed Specification or Scope of work

This scope is for the replacement of sixteen (16) HMI XBTGT5340 that had become redundant/discontinued. These are to be replaced by, Base GTU HMIG5U2 plus Screen HMIDT542.

Removal of old units:

The service provider to remove old HMI and software one at a time to avoid operation disturbances. For all old units, another process of decommissioning takes place.

Parts supply.

All parts are to be supplied from the original equipment manufacturer (OEM) or the OEM-recommended supplier or installer All parts must be supplied with warranties and guarantees.

Installation:

Installation is to be undertaken by a competent person recommended by the OEM. Installation to be done with less destruction to airport operations.

Commissioning:

- The installer to commission each unit for a local maintenance team and ACSA representative approval.
- The installer to conduct training on commissioning to both maintenance service provider and ACSA representative.

Installer to furnish ACSA with:

- maintenance manual
- User manual
- Drawing
- Password
- Software disc and copies Project Scope Inclusion:
- Supply and delivery of new software's
- Supply and delivery of Ground power units
- Installation and programming
- Certification and commissioning
- Drawing updates
- Project Scope Exclusions.
- Maintenance and repairs of existing software's.

Scope specification:

- The appointed service provider to supply new software, latest version from the original equipment manufacturer (OEM), installation and commissioning of the system

Specification Summary (Software upgrade)

- Since our airport has different types of bridges, two types for Apron drive and one nose loader type on alpha apron, then three types of software to be purchased. The replacement product recommended by the supplier is the new touchscreen HMIDT542 10,4" (Schneider Electric) or any other similar type that must be recommended by the OEM. The system must come with an updated keypad and touchscreen user interface designed or recommended and approved by the PBB-OEM. The system must come with updated keypad and touchscreen user interface designed or recommended and approved by the OEM with the aim of facilitating the use of the PBB to both new and experience PBB operators.
- Main features of the upgrade are as follows:
- Delivery of a compact product, allowing additional space in the control panel.
- Clear software interface, allowing quick understanding of the status of the PBB.
- Facilitates trouble shooting including a clear and comprehensive PLC I/O status screen.
- Facilitates calibration and testing of the key systems of the PBB Simple maintenance.
- Off the shelf available components.
- Facilitates incident / fault investigation:
- Stores within the HMI memory the last 4.000 events and alarms
- Enables storing of history files onto a standard compact flash memory card
- Enables downloading alarms and events reports onto a USB memory stick in .csv format.

- Additionally, a new IP camera and the required support will be installed to complete the refurbishment.
- Programming of the operations of the PBB and certification of installation by the OEM.

Scope Summary GPU

- To replace the current AXA 2200 GPU type with latest version of 2400 type GPU with the output voltage quality of the AXA 2400. The AXA 2400 type are compact and unique due to the patented Plug & Play system. The AXA 2400 is even designed to fulfil the coming ISO 6858 standard that requires max. phase unbalance of less than 4 V and a phase angle of 120° 2.5%. The type can generate a voltage of the 3 phases at 35% unbalanced load @ PF 0.8 by use of a typical cable consisting of 65 m of 7x35 mm² installation cable and 26 m of 4x70 mm² flexible cable. The new units must be able to allow for 400% overload which means that it can be used for all types of aircraft from the narrow-body to the wide-body incl. B787/A350/A380. The units must be rust protected though galvanized and powder coated, the protection should be extended to all parts including bolts and brackets that must be stainless steel. Please add the \

Standards to serve as a guideline:

- IATA AHM 922
- Electrical Installations Regulations
- OEM Maintenance Procedures for GPUs
- OEM Maintenance Procedures for PLB's
- OHS act 85 of 93

5. SECTION 5: PREFERENCE POINTS AND PRICE

5.1. Preference Points Claims

5.1.1. In terms of the PPPFA and its regulations only a maximum of 20 points may be awarded for preference. The preferential point systems are as follows:

5.1.1.1. The 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

5.1.1.2. The 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

5.1.2. The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable. Preference points for this bid shall be awarded for:

5.2. The maximum points for this bid are allocated as follows:

Points

5.2.1. **Price** _____

B-BBEE Status Level of Contribution _____

Total Points for Price and B-BBEE must not Exceed

100

- 5.2.2. 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 an affidavit in the case of Qualifying Small Enterprises and an Emerging Micro Enterprises together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 5.2.3. ACSA 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 ACSA.

5.3. **Definitions**

- 5.3.1. **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 5.3.2. **“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;
- 5.3.3. **“Black Designated Groups”** has the meaning assigned to it in the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 5.3.4. **“Black People”** has the meaning assigned to it in the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 5.3.5. **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act 53 of 2003);
- 5.3.6. **“Designated Group”** means:
- 5.3.6.1. Black Designated Groups;
- 5.3.6.2. Black People;
- 5.3.6.3. Women;

- 5.3.6.4. People with disabilities; or
- 5.3.6.5. Small enterprises, as defined in section 1 of the national Small Enterprise Act 102 of 1996;
- 5.3.7. **“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;
- 5.3.8. **“EME”** means an exempted micro enterprise in terms of the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 5.3.9. **“Functionality”** means the ability of tenderer to provide goods or services in accordance with specifications as set out in the tender documents;
- 5.3.10. **“Military Veteran”** has the meaning assigned to it in section 1 of the Military Veterans Act 18 of 2011;
- 5.3.11. **“People with disabilities”** has the meaning assigned to it in section 1 of the Employment Equity Act, 55 of 1998;
- 5.3.12. **“Person”** includes a juristic person;
- 5.3.13. **“PPPFA”** means the Preferential Procurement Policy Framework Act 5 of 2000 and its Regulations published on 20 January 2017;
- 5.3.14. **“Price”** means all applicable axes less all unconditional discounts;
- 5.3.15. **“QSE”** means a qualifying small business enterprises in terms of the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act
- 5.3.16. **“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;
- 5.3.17. **“Rural Area”** means:
- 5.3.17.1. a sparsely populated area in which people farm or depend on natural resources including villages and small towns that are dispersed through the area; or
- 5.3.17.2. an area including a large settlement which depends on migratory labour and remittances and government social grants for survival, and may have a traditional land tenure system;
- 5.3.18. **“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;

- 5.3.19. **“Township”** means an urban living area that any time from the late 19th century until 27 April 1994, was reserved for black people, including areas developed for historically disadvantaged individuals post 27 April 1994;
- 5.3.20. **“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;
- 5.3.21. **“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; and
- 5.3.22. **“Youth”** has the meaning assigned to it in section 1 of the National Youth Development Agency Act 54 of 2008

All terms not defined herein have the meanings assigned to them in the PPPFA.

5.4. **Adjudication Using A Point System**

- 5.4.1. The bidder obtaining the highest number of total points will be awarded the contract, unless objective criteria exist justifying an award to another bidder or ACSA exercises one or more of its disclaimers.
- 5.4.2. Preference points will be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts
- 5.4.3. Points scored will be rounded off to the nearest 2 decimal places.

5.5. **Award of Business where Bidders have Scored Equal Points Overall**

- 5.5.1. In the event that two or more bids have scored equal total points, the successful bid will be the one scoring the highest number of preference points for B-BBEE.
- 5.5.2. 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 will be the one scoring the highest score for functionality.
- 5.5.3. Should two or more bids be equal in all respects, the award will be decided by the drawing of lots.

5.6. **Points Awarded for Price**

The 80/20

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 comparative price of bid under consideration

P_t = Comparative price of bid under consideration

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

5.6.1. Points Awarded for B-BBEE Status Level of Contribution

- 5.6.1.1. 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

USE THIS TABLE (80/20)

B-BBEE Level Contributor	Status of	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

- 5.6.1.2. Bidders who qualify as EMEs in terms of the B-BBEE Act must submit an affidavit stating its annual turnover, certificate issued by a Verification Agency accredited by SANAS.
- 5.6.1.3. 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 Verification Agency accredited by SANAS. QSEs have an additional option of submitting a sworn affidavit as its B-BBEE certificate in terms of the amendments to the B-BBEE Codes of Good Practice in 2013.

- 5.6.1.4. 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.
- 5.6.1.5. 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.
- 5.6.1.6. 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.
- 5.6.1.7. 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.
- 5.6.1.8. 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.

5.7. Bid Declaration

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

(B-BBEE Status Level of Contribution Claimed in Terms of Paragraphs 5.2.1)

B-BBEE Status Level of Contribution: _____ = _____ (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 0 must be in accordance with the table reflected in paragraph 5.6.1.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS).

5.8. Sub-Contracting

5.8.1. Will any portion of the contract be sub-contracted? YES / NO (**Delete whichever is not applicable*)

5.8.2. If yes, indicate:

5.8.2.1. The sub-contracted percentage is: _____%

5.8.2.2. The type of ownership is as follows in terms of percentage out of 100:

5.8.2.2.1. black ownerships is: _____

5.8.2.2.2. black youth ownership is: _____

5.8.2.2.3. black women ownership is: _____

5.8.2.2.4. black people with disabilities ownerships is: _____;

5.8.2.2.5. black people in rural areas, underdeveloped areas or townships ownerships is: _____

5.8.2.2.6. black ownership of the co-operative is: _____

5.8.2.2.7. black people who are military veteran ownership is: _____

5.8.2.2.8. Combined ownership of any of the above is: _____.

5.8.3. The tendering condition must specify that the tenderer may only subcontract to a QSE listed above if the QSE has a B-BBEE status level that is equal to or more than that of the tenderer/bidder.

5.8.3.1. The name of the sub-contractor is: _____

5.8.3.2. The B-BBEE status level of the sub-contractor is: _____

5.8.3.3. The sub-contractor is an EME: YES / NO (*Delete *whichever is not applicable*)

5.8.4. A bidder may not sub-contract any portion of the tender after award without the written approval a delegated ACSA representative.

5.9. Declaration with Regard to the Bidder

5.9.1. **Name of bidding entity**

5.9.2. **VAT Registration**

5.9.4. **Company registration number:**

5.9.5. **Type of company / firm:**

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

[TICK APPLICABLE BOX]

5.10. Describe principal business activities

5.11. Company Classification

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transportation, *etcetera*.

[TICK APPLICABLE BOX]

5.12. Total numbers of years the company / firm has been in business:

5.13. 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 this bid of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- 5.13.1. The information furnished is true and correct;
- 5.13.2. The preference points claimed are in accordance with the General Conditions as indicated in this Section;
- 5.13.3. In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish documentary proof to the satisfaction of ACSA that the claims are correct;
- 5.13.4. 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, ACSA may, in addition to any other remedy it may have:
 - 5.13.4.1. Disqualify the person from the bidding process;
 - 5.13.4.2. Recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;



- 5.13.4.3. 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;
- 5.13.4.4. 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 ACSA for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- 5.13.4.5. Forward the matter for criminal prosecution.

Witnesses:

1. _____

<div style="text-align: center;">_____ Signature(s) of bidder(s)</div>
--

2. _____

Date : _____

Address: _____

6. SECTION 6: EVALUATION CRITERIA

6.1. Evaluation Criteria

- 6.1.1. ACSA will use a pre-determined evaluation criterion when considering received bids. The evaluation criteria will consider the commitment made for **local production and content(If Applicable)/ Functionality/ Price and B-BBEE**. During the evaluation of received bids ACSA will make an assessment whether all the bids comply with set minimum requirements and whether all returnable documents/information have been submitted. Bidders which fail to meet minimum requirements, thresholds or have not submitted required mandatory documents will be disqualified from the tender process.
- 6.1.2. The requirements of any given stage must be complied with prior to progression to the next stage. ACSA reserves the right to disqualify bidders without requesting any outstanding document/information.

- 6.2. A staged approach will be used to evaluate bids and the approach will be as follows:

Stage 1	Stage 2	Stage 3	Stage 4
Check if all the documents have been received	Check if minimum local content and production thresholds have been met(IF APPLICABLE)	Evaluate on functionality or the technical aspect of the bid	Evaluate price and Preference (B-BBEE)

6.3. **Mandatory Requirements**

A list of mandatory returnable documents must be consulted to understand which documents are required at the closing date and time. Further, to the mandatory returnable documents/information ACSA will only consider bidders which have:

- 6.3.1 Bidders must submit the signed letter to confirm that delivery will be received by ACSA within 5 months after the issuance of the purchase order/ appointment letter
- 6.3.2 Bidders must submit OEM Specifications of the units quoted upon (specifying the units they will be supplying ACSA)
- 6.3.3 Bidders must submit fully completed and signed Form of Offer and Acceptance
- 6.3.4 Fully completion of SBD 4 attached (Declaration of Interest on Page 39 of 41)

6.4. **Pre-qualification (NOT APPLICABLE)**

Bidders must submit the requisite documentation to prove that me meet the pre-qualifying criteria.

6.5. **Local Content and Production**

Bidders must complete and return SBD 6.2 (Declaration of Local Content and Production form) on the closing date and time of this tender. ACSA will disqualify any bidder which has not submitted the SBD 6.2 form on the closing date and time. The form must be completed under **Section 2** at 2.8 of this tender document.

6.6. **Supplier Development, Objective Criteria and Compulsory Sub-Contracting (NOT APPLICABLE)**

6.6.1. **Supplier Development N/A**

In this tender Supplier Development will be evaluated as a threshold criterion. Bidders that fail to meet the threshold will not be considered for the next stage of the evaluation. Such bidders will be disqualified from the tender process. (*Delete whichever is not applicable)

6.6.2. **Objective Criteria (*Delete if the threshold route is selected)**

It is a requirement of this tender that bidders commit an overall _____% of the contract value towards Supplier Development initiatives. These initiatives must be on the following:

- a) Skills Development
- b) Increase in black / woman / youth / disabled ownership percentage
- c) Improvement of employment equity percentage
- d) EME Spend
- e) Preferential procurement
- f) Rural integration and small business promotion
- g) _____
- h) _____

**I/we do/do not accept the supplier development commitment as a condition of the tender.
I/We understand that failure to commit to this condition of the tender will result in our bid being disqualified.**

6.6.3. Threshold (***Delete if the prequalification route is selected**) **NOT APPLICABLE**

The successful bidder will be expected to spend a portion of the contract value on supplier development initiatives. This commitment will also be incorporated into the final contract and delivery against the commitment will be monitored as part of contract management processes. Bidders must meet a threshold of _____% at the supplier development stage to proceed to the next stage of the evaluation. Bidders which fail to meet the threshold for supplier development will be disqualified from the tender process. This tender will be evaluated on supplier development using the following criteria:

Criteria	Required Threshold	
Skills Development		%
Small business promotion		%
		%
		%

6.6.4. **Compulsory Sub-Contracting (NOT APPLICABLEA)**

It is a requirement of this tender that the successful bidder sub-contract a minimum of 30% of the contract to an EME or QSE or an EME or QSE that is at least:

6.6.4.1. 51% black owned;

6.6.4.2. 51% owned by black youth;

6.6.4.3. 51% owned by black women;

6.6.4.4. 51% owned by black people with disabilities;

6.6.4.5. 51% owned by black people in rural areas, underdeveloped areas or townships;

6.6.4.6. a co-operative that is 51% owned by black people;

6.6.4.7. 51% owned by black people who are military veterans; or

6.6.4.8. More than one of the above-mentioned categories.

6.6.5. The bidder may only subcontract to a QSE listed above if the QSE has a B-BBEE status level that is equal to or more than that of the bidder.

6.7. **Functionality**

6.7.1. The functionality evaluation will be conducted by the end-user/operations/the Bid Evaluation Committee which comprises of various skilled and experienced members from diverse professional disciplines. The evaluation process will be based on prequalification/threshold criteria. The criteria will be as follows:

6.7.2.

Functionality Evaluation Criteria

Functionality is the terminology used to define the technical ability of the Tenderer, based on experience to deliver the required product in accordance with the specialised quality, reliability, and functionality.

- 1) Points allocated for Functionality shall be evaluated in accordance with the criteria as listed below. An overall minimum threshold of **65 points out of 100** must be achieved for the tender to be eligible for further evaluation on Price and B-BBEE. Bidders who also fail to achieve the minimum score per criteria will be disqualified and not be eligible for further evaluations.

Functionality / Technical Evaluation

The evaluation process will be based on threshold criteria and will be as follows:

Evaluation Area	Maximum Points	Minimum Threshold
Human Resource Qualifications 20 <ul style="list-style-type: none"> Technician 	20	5
Human Resource Experience 20 Points <ul style="list-style-type: none"> Technician 	20	5
Methodology 60 Points <ul style="list-style-type: none"> How work will be executed 	60	55
Total	100	65

Functionality Criteria: Functionality Criteria:

3.2.1. Human resource qualifications

Technician: must be qualified and have a minimum of a National diploma in Information Technology (IT), instrumentations, or Electronics. years post qualification experience. (Bidders to provide copies of certificates to be evaluated on this item, no points will be awarded if certificates are not attached)		
Technician	Points (Minimum)= 5	Max Points= 20
Any qualification less than a diploma level in Information Technology (IT), instrumentations, or Electronics or failure to submit relevant qualification.	0	
National Diploma in Information Technology (IT), instrumentations, or Electronics	5	
B- Tech or BSc qualification in Information Technology (IT), instrumentations, or Electronics	10	
B- Honours or above in Information Technology (IT), instrumentations, or Electronics.	20	20

3.2.2. Human resource Experience

Technician: must be qualified and have a minimum of two years post qualification experience in Information Technology (IT), instrumentations, Electronics or Repairs and maintenance of passenger boarding bridges. <i>(Bidders to attach traceable CVs to be evaluated on this ITEM. CVs to detail work and period of service. no points will be awarded in absence of CVs)</i>		
Technician	Points (Minimum)	Max
less than 2 Years of experience	0	
2 years post qualification experience	5	
Above 2 years to 3 years post qualification experience	10	
Above 3 years and more, post-qualification experience.	20	20

3.2.4. Methodology

Methodology	Minimum Score = 55	Maximum score= 60
<p>The bidder to demonstrate how this work will be executed.</p> <p>(max of 60 points for all)</p> <ol style="list-style-type: none"> 1. How system will be obtained. (5) <ol style="list-style-type: none"> i) Procurement plan ii) Delivery period iii) Warranties iv) Post installation support v) Availability of spares 2. How the integrity of the software will be verified. (10) <ol style="list-style-type: none"> I. Test conducted II. Conformance to applicable standard III. Fit for purpose IV. Compatibility with existing parts V. Post installation tests. 3. How installation will be executed. (10) <ol style="list-style-type: none"> I. Isolation procedure II. Safety measures III. Installation method IV. Installation times V. Consideration of live environment 4. How compatibility of interfaced system will be verified. (10) <ol style="list-style-type: none"> I. Listing of interfaced system II. Testing of functioning of interfaced system III. Hardware compatibility tests IV. Verification of conditions of interfaced parts. V. How each part will be routed to the upgraded system. 5. How the installation will be commissioned. (10) <ol style="list-style-type: none"> I. Demonstration to end users II. Listing of documents that will be handed over III. Listing of drawings that will be handed over. IV. End user training V. How tags will be transferred. 6. How the installation will be done in consideration of the live environment. (10) <ol style="list-style-type: none"> I. Sequence of installation 	55	60

II. Time to install for each PBB III. Notices to users regarding on going work. IV. Hoarding and barricades V. How housekeeping will be maintained during installation. 7. List of standards to be adhered to. (5) i. SANS Standards ii. OHS act iii. OEM standard iv. Maintenance procedures v. Design standard		
Final scores	Points (Minimum)	Max
	65	100

6.8. Price and B-BBEE

This is the final stage of the evaluation process and will be based on the PPPFA preference point system of 80 / 20 Price will amount to 80 points, whilst preference will be 20 points. The award of business will be made to a bidder which has scored the highest overall points for this stage of the evaluation, unless objective criteria exists, justifying an award to another bidder or ACSA splits the award or cancels the tender, *etcetera*.

Bidders must only price in accordance with the pricing schedule below, this will enable ACSA to compare priced offers. Failure to submit a priced offer using the prescribed schedule will make the bid liable for disqualification. Disbursements will be reimbursed at actual cost. The successful bidder will be required to provide proof of expenses in order to be reimbursed. Other expenses, for example accommodation (specify, e.g. three star hotel, bed and breakfast, telephone cost, reproduction cost, etcetera). On basis of these particulars, certified invoices will be checked for correctness.

Pricing Schedule

Project costing					
Preliminaries					
	Permits	13 000	1	R	13 000.00
	Induction	15000	1	R	15 000.00
	Site Establishment	20000	1	R	20 000.00
Preliminaries subtotal				R	48 000.00
Admin cost				R	-
	Traveling and accommodation		1	R	-
Installation cost					
	Software upgrade unit price Alpha bridge		1	R	-
	Software upgrade C1 and C2		1	R	
	Software upgrade C5 and C6		1	R	
	GPU unit price (AXA 2400)		4	R	-
	Base GTU HMIG5U2 plus Screen HMIDT542. Alphas bridges 7,4 inches		12	R	
	Base GTU HMIG5U2 plus Screen HMIDT542. Charlie bridges 10,4 inches		4		
Installation costs subtotal				R	-
Labour Cost					-
	Decommissioning		1	R	-
	Installation		1	R	-
	Rewriting of software to other similar bridges		13	R	
	Commissioning		1	R	-
Labour Cost- subtotal				R	-
Other					
	Drawings		16	R	-
	Certification		16	R	-
Another cost (Please specify)				R	
Total Project, excl vat				R	-
VAT				R	

Cost inclusive of 15% Vat	R
----------------------------------	----------

(For bidders that are not charging Vat, to provide necessary supporting documents).

Labour Rates (Not to be included in the price, this is for contract purpose to be used for adhoc work)

Unit	Normal rates	Hours	After rates	hours	Saturday rates	Sunday and public holidays.
Project manager						
Instrument Technician						
Millwright						
Electrician						
Technical assistant						

Mark up on bought out ITEMS in percentage

R0 – R 5000	%
R 5000 – R50 000	%
R 50 000- R 200 000	%
R 200 000 and above	%

7. SECTION 7: RETURNABLE DOCUMENTS

7.1. Mandatory Returnable documents

*(*Ensure that all mandatory returnable documents are documents ACSA may not proceed without and requesting them after the closing date and time will compromise the fairness of the process or contravening the law i.e. priced offer and SBD 6.2 for local content & production for designated sectors, etcetera)*

ACSA will disqualify from the tender process any bidder that has failed to submit mandatory returnable documents and information on the closing date and time. Bidders should therefore ensure that all the mandatory returnable documents and information have been submitted. In order to assist bidders, ACSA has also included a column next to the required mandatory document and information to enable bidders to keep track of whether they have submitted or not. The mandatory documents and information are as follows:

7.2. Other Returnable Documents and information

MANDATORY RETURNABLE DOCUMENTS AND INFORMATION	SUBMITTED [Yes or No]
Bidders must submit the signed letter to confirm that delivery will be received by ACSA within 5 months after the issuance of the purchase order/ appointment letter	
Bidders must submit OEM Specifications of the units quoted upon (specifying the units they will be supplying ACSA)	
Bidders must submit fully completed and signed Form of Offer and Acceptance	
Fully completion of SBD 4 attached (Declaration of Interest on Page 39 of 41)	

7.3. These types of documents and information are required but are not mandatory or are only mandatory at specific stages of the process. ACSA may request bidders to submit these documents or information after the closing date and time or might already have them on the system. Where a document or information is only mandatory at a specific stage in the process, ACSA may only disqualify a bidder for non-submission at that stage and after reasonable efforts were made to request the document from the bidder. The documents are as follows:

OTHER ESSENTIAL RETURNABLE DOCUMENTS, DECLARATIONS AND SCHEDULES

#	Other Essential Returnable Documents and Information (Copies of documentation that cannot be verified online, must be certified with an original stamp)	Main Bidder Yes / No	JV Partner Yes / No	Sub – Contractor Yes / No
1	PROOF OF REGISTRATION ON NATIONAL TREASURY CENTRAL SUPPLIER DATABASE (CSD) <ul style="list-style-type: none"> Bidder to provide Unique Number & PIN The website for self-registration is www.csd.gov.za. 			
2	TAX CLEARANCE CERTIFICATE REQUIREMENTS <ul style="list-style-type: none"> Bidders are required to give ACSA authority in writing to verify their Tax Compliance Status from SARS. This authorisation must include the bidder's taxpayer's tax reference number and a PIN issued by SARS. 			
3	DECLARATION OF INTEREST FORM Form duly completed and signed			
4	PREFERENCE POINTS CLAIM FORMS <ul style="list-style-type: none"> Form duly completed and signed in terms of PPPFA and its regulations 			
5	B-BBEE CERTIFICATE/SWORN AFFIDAVIT <ul style="list-style-type: none"> Provide sworn affidavit / s or B-BBEE certificate/s as prescribed by the B-BBEE Act. Submit certified copy or original 			
6	Record of Addenda <ul style="list-style-type: none"> Issued to bidders before the bid closing date. To be completed only if ACSA issued addenda 			
7	Valid Proof of Registration of entity <ul style="list-style-type: none"> Certified CIPC Registration documents, Partnership Agreement, JV Agreement or Registered Trust Document 			
8	Certified copies of South African Identity Documents or Valid Passports of Members / Directors / Owner / s (In a case of a sole proprietor or Partnership)			

#	Other Essential Returnable Documents and Information (Copies of documentation that cannot be verified online, must be certified with an original stamp)	Main Bidder Yes / No	JV Partner Yes / No	Sub – Contractor Yes / No
9	Share Information <ul style="list-style-type: none"> Shareholders / Member / Partner information - Provide Certified copies (Copy with original stamp) of latest Share Certificate / s or Share breakdown. Share Issue Register 			
10	A partnership letter / Partnership agreement (In case of a Partnership)			
11	A Joint Venture Agreement in case of a Joint Venture			
12	Valid Letter of Good Standing in terms of COID Act* <ul style="list-style-type: none"> Provide either a Letter of Good Standing or, where applicable a letter of exemption, issued in accordance with the Compensation for Occupational Injuries and Diseases Act (COIDA). (Copy with original stamp). <p>Must be valid at the time of close of bid and a valid certificate must be produced at the time of award if the certificate expires between close of bid and award.</p>			
13	Key Personnel (Roles and Responsibilities) <ul style="list-style-type: none"> Details of proposed team for this works including relevant experience and qualifications. The team must be appropriately qualified. 			

7.4. Validity of submitted information

Bidders must ensure that any document or information which has been submitted in pursuance to this tender remains valid for the duration of the contract period. The duty is on the bidder to provide updated information to ACSA immediately after such information has changed.

DECLARATION OF INTEREST

BIDDER'S DISCLOSURE SBD4

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

employed by the state?

YES/NO

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

Full Name	Identity Number	Name of State institution

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

2.2 Do you, or any person connected with the bidder, have a relationship

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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.



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