

REQUEST FOR QUOTATION
ASEZCO ORGANISATIONAL DESIGN REVISION

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ASEZ					
BID NUMBER:	RFQ 020/2022/ CS	CLOSING DATE:	9 March 2022	CLOSING TIME:	12h00
DESCRIPTION	ASEZCO ORGANISATIONAL DESIGN REVISION				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Due to Covid19, no bids will be allowed to be hand delivered. All bids / RFQs must be emailed to the email address provided.					
All submissions to be emailed to: Rayyan Arnold at rayyan@atlantiszez.co.za					
BRIEFING SESSION	No		COMPULSORY	N/A	
BRIEFING SESSION DETAILS	-				
DATE	-				
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Rayyan Arnold		CONTACT PERSON	Siysanga Tetyana	
TELEPHONE NUMBER	087 183 7010 <i>*please note that staff work rotationally which could result in unanswered calls</i>		TELEPHONE NUMBER	+27 087 183 7012	
E-MAIL ADDRESS	rayyan@atlantiszez.co.za		E-MAIL ADDRESS	siyasanga@atlantiszez.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA

B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] Yes No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] Yes No
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[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?	Yes/ No [IF YES ENCLOSE PROOF] e.g CIPC registration	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes/ No [IF YES, ANSWER QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES/NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES/NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES/NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES/NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES/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). IF THE ANSWER IS "YES" TO ANY OF THE ABOVE, THEN REGISTER WITH SARS AS PER 2.3 BELOW.

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 NOT EXPECTED TO EXCEED R1 000 000 INCLUDING VAT FOR THE DURATION OF THE CONTRACT
- 1.4. PRICE(S) QUOTED MUST BE FIRM AND MUST BE INCLUSIVE OF VAT.
- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.6. 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 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."

1. INTRODUCTION

The Atlantis Special Economic Zone (ASEZ) was designated as such by the Minister of Trade and Industry on the 19 October 2018 and the license to operate the zone was granted to the Western Cape Government (MEC for Finance and Economic Development). In response to this, and in accordance with the license conditions, the Atlantis Special Economic Zone Company (ASEZ Co) was set-up by the Western Cape Government in partnership with the City of Cape Town. This establishment followed due process and the company was registered in March 2020.

The ASEZ is a geographical area of 118 hectares in the industrial area of Atlantis. It is a Greentech SEZ with the objective of attracting Greentech manufacturers. The ASEZ currently consists of a number of investors on privately owned land (about 25ha) as well as three separate portions of vacant and industrial zoned land owned by the City of Cape Town (+93ha). This land is in the process of being acquired from the City of Cape Town.

The Atlantis SEZ has been identified as a strong manufacturing node in Atlantis and the Western Cape, with Greentech a key emerging sector for the Western Cape and for South Africa.

The Atlantis community and industrial area was established by the Apartheid government as a group areas Coloured township and people forcibly removed from suburbs in Cape Town were relocated here (amongst other areas). The government also created attractive incentives for industrial manufacturing in Atlantis. When these incentives and subsidies were removed, it led to a slump in manufacturing in the nineties. Since then, the City of Cape Town, working with National and provincial government, has been actively exploring ways to stimulate new industrial investment in Atlantis. Prior to Atlantis being designated a Special Economic Zone, the city had designated the area as a green manufacturing hub. The ASEZ aims to contribute to green industrial development in Atlantis and the area will no doubt become a key platform for Greentech industrial development in the Western Cape.

ASEZCo is a provincial public entity under the Public Finance Management Act (PFMA) situated in the Cape Town CBD. We are required under the PFMA to acquire a banking facility which consist of a commercial bank operating under the SA Bank Act.

2. TERMS OF REFERENCE

2.1 SCOPE OF WORK

2.1.1 Background

The Atlantis Special Economic Zone Company SOC Ltd (ASEZCo) is a multi-government investment project focused on stimulating investment in manufacturing and services in the green and clean technology space. The ASEZCo's overarching mandate is to attract key investors in the Greentech industry, in order to foster and grow the Green Economy within the Western Cape, whilst enhancing the local economic environment and job opportunities and creating an integrated and sustainable future for Atlantis. The ASEZCo is a Schedule 3D

state-owned company established in terms of Section 25 of the Special Economic Zones Act (Act 16 of 2014)

The ASEZCo undertook a detailed Strategic Human Resources Organisational Design Process in 2019 when the organisation commenced its operations and put governance structures in place.

At this time, the organisation was being incubated within Wesgro and the Human Resources Strategy was developed, in line with the overarching Strategic Plan and Corporate Plan of the ASEZCo. The organisational structure was part of this strategy and was designed to support the start-up phase of the organisation for a 3–5-year period.

Subsequently, the ASEZCo has commenced operating independently since April 2020, and was gazetted as a government business enterprise in terms of the PFMA on 20 December 2021. This has resulted in some changes in our operations, particularly in our infrastructure Development Department, as our investor attraction process has become more robust, and our Infrastructure Development has commenced within the Zone.

2.1.2 ASEZCo's primary objective in issuing this RFQ is to enter into agreement with a successful bidder(s) who will achieve the following:

- a) to revise some of the roles and requirements within the organisation, in line with our new areas of focus.

2.2 Service Requirements

2.2.1 General

The successful bidder will be required to provide the following:

The service to be provided to ASEZCO must meet the following minimum requirements:

2.2.2 A comprehensive online management system incorporating:

- a. Undertake an Organisational Structure Review – including engagement with all business unit heads and relevant personal on proposed changes to the organisational structure, with particular focus on the Infrastructure Development Business Unit, operational requirements and integrated application of the living lab/greentech/green finance components.
- b. Design a new organogram to support the ASEZCo for the next 3-5 years.
- c. Develop the new job profiles as required (approx. 10 roles maximum).

- d. Undertake job grading & benchmarking of the new roles.
- e. Present the project results to the Board and/or relevant Executives.

2.3 DURATION

- 2.3.1 The duration of this contract is not expected to be longer than 3 months.

2.4 PAYMENT STRUCTURE

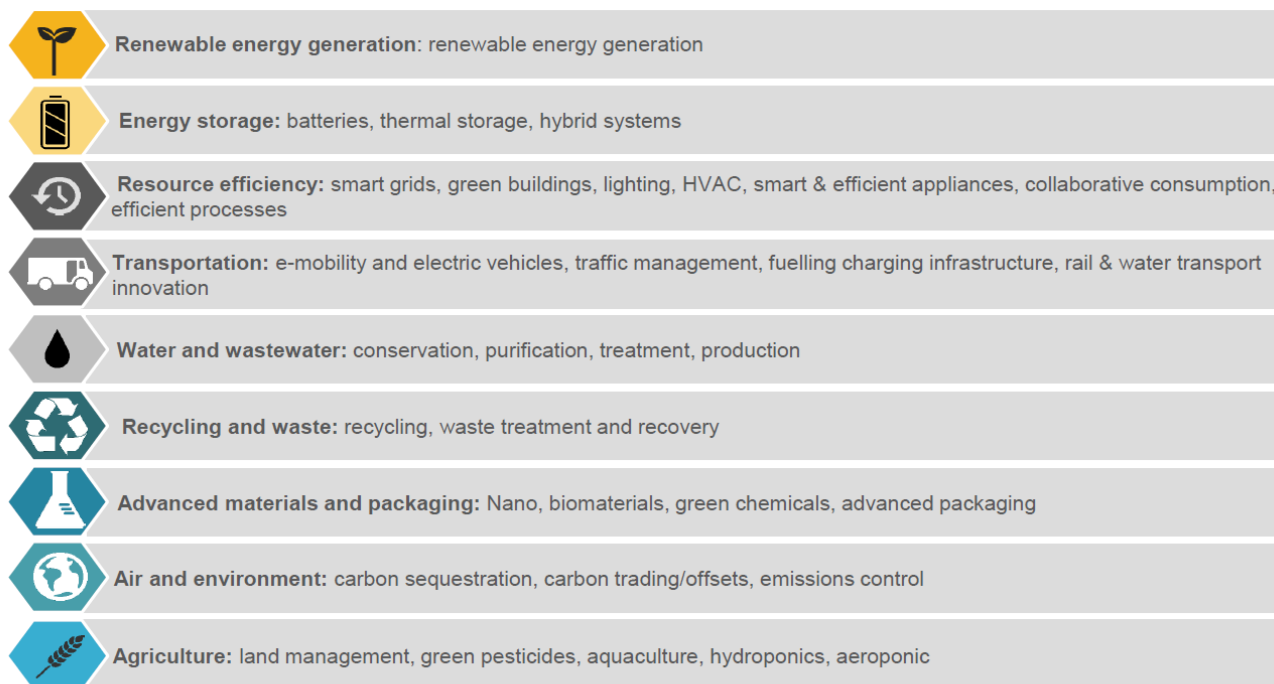
- 2.4.1 ASEZCo undertakes to pay in full within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.
- 2.4.2 Payments will only be made on the basis of the work completed (milestones/deliverables) as per the project implementation plan to be agreed at the inception of the project.

2.5 GREENTECH

The concept of Greentech is built from the principles of a green economy that is low carbon (zero carbon), resource efficient and socially inclusive. Greentech can also be defined as technology whose use is intended to mitigate or reverse the effects of human activity on the environment. The Greentech definition includes, but is not limited to, technologies relating to renewable energy, energy storage, energy efficiency, water efficiency and management, greener packaging, recycling / re-use (i.e., circular economy), and green chemicals.

The definition of a resource-efficient producer is one that employs processes, products, and services to increase the resource-efficiency of production and to reduce pollution and minimise negative impacts on humans and the environment.

The categories of Greentech utilised by the Atlantis SEZ are illustrated below:



Source: Own analysis based on Kachan & Co (2012) and Cleantech Scandinavia (2018).

While the Atlantis SEZ will focus on attracting producers of Greentech products and services, resource-efficient manufacturers of products will also be eligible to apply to establish operations in the ASEZ.

2.6 DISCLAIMER

This Request for Proposal (RFP) has been prepared for the purpose of providing information to interested parties and allowing them to respond to this RFP.

The ASEZ Co accepts no liability for any loss incurred by any person(s) due to events or actions taken as a consequence of the preparation and dissemination of this RFP document.

The ASEZ Co accepts no responsibility and/or liability for the fairness, accuracy or completeness of any information or opinions, for any errors, omissions or misstatements, negligent or otherwise, made by any person in this RFP document or any written or oral communication transmitted or made available at any time to an interested party or its advisers, and/or its Agents.

2.7 DEFINITIONS

In this RFP document, unless the context indicates otherwise, reference to the singular shall the plural and *vice versa*, words denoting one gender include others, expressions denoting natural persons include juristic persons and associations of the persons, and the words in the first column shall have meanings stated opposite them in the second column, as follows:

“Applicant”	Any person or natural, who receives and/or responds to this RFP.
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“ASEZ Co”	Atlantis Special Economic Zone SOC Ltd
“WCG”	Western Cape Government
“DEDAT”	Department of Economic Development & Tourism
“CoCT”	City of Cape Town
“Employer”	Atlantis Special Economic Zone SOC Ltd
“Services”	Means the services reflected in clause 4 hereof.
“Contract”	Means a contract to be concluded between the Employer and the successful Applicant on terms and conditions acceptable to the Accounting Officer of the Atlantis SEZ Co.

2.8 INVITATION FOR PROPOSALS

Proposals are invited from interested Service Providers that can show that they have experience, knowledge and a track record in:

- design and implementation of an Organisational Structure review,
- experience with consultation and organisational design with Executive and Board levels,
- strategic and operational Human Resources consulting experience at an expert level

2.9 BID PACKAGING

The bid should include an overview of the proposal and why the company and associated team are able to deliver.

You are required to submit a detailed quotation for the above services exclusive of VAT and also inclusive of VAT.

Where appropriate, tariff of fees quoted must be in terms of regulations by relevant professional bodies.

In packaging the bid, please refer to the evaluation rubric in section 3 and match your information to the sequence of criteria set out in the rubric to make it easier to evaluate your proposal. Failure to do this will result in points being deducted (at least 3 per evaluation category).

3 EVALUATION CRITERIA

3.1 Evaluation

3.1 Evaluation Process

3.1.1 The bid will be evaluated in terms of the evaluation criteria stipulated.

3.1.2 This bid will be evaluated in terms of the following stages:

- a) Prequalification criteria
- b) Evaluation for mandatory (compliance) criteria
- c) Evaluation in terms of local production and content, if applicable
- d) Evaluation in terms of functional/technical compliance, if applicable
- e) Evaluation in terms of 80/20 preference point system

3.2 EVALUATION PROCESS:

- The bid will be evaluated in accordance with the following Compliance (part A) and

Functionality (part B) criteria:

A. COMPLIANCE REQUIREMENTS

A. Compliance Requirements – all documents to be submitted	Compliance Status
1. CSD Registration	
a) Supplier active status b) Supplier not restricted c) Active tax status (NB: award cannot be made to the bidder whose tax matters are not in order) d) SARS on-line tax status verification	Info provided will be validated during evaluation stage & failure to meet CSD requirements & Tax Status will lead to disqualification
2. Certified Documentations Required	
➤ Certified copy of a BBBEE certificate issued by a verification agency accredited by SANAS or a sworn affidavit signed by the EME representative & certified by a Commissioner of Oaths as per DTIC requirement for exempted EME's or QSE's	Invalid certificates will not be recognised
➤ Confirmation of Banking details.	Bank Stamped Letter

➤ Supporting Documentation	All supporting documentation that speaks to qualifying the bidder in relation to the terms of reference i.e. Banking Council
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B. FUNCTIONALITY AND CAPABILITY REQUIREMENTS

Table 1: Quality of submission in addressing criteria and sub-criteria

FUNCTIONALITY & CAPABILITIES	Maximum	Score	Minimum
NB: The bidder should achieve a minimum score of 75 points under functionality to be able to be evaluated further on pricing & BBBEE as per preferential system. The Bidder MUST provide proof to support the relevant criteria stipulated below to qualify for the points. Should the Bidder FAIL to supply proof, they will score ZERO points.	100		
1 COMPANY PROFILE / LIST OF PROJECTS	30		
• Demonstrated expertise at design and implementation of an Organisational Structure • Demonstrated experience with consultation and organisational design with Executive and Board levels • Demonstrated understanding and implementation experience of a relevant and holistic Human Resource Strategy • Demonstrated previous experience in implementing a similar project in a PFMA environment • Demonstrated experience with and understanding of an IDZ or SEZ environment within South Africa • Demonstrated experience with collaborating with an in-house HR function	5 5 5 5 5		
2 APPROACH & METHODOLOGY / METHOD STATEMENT	45		
a. This should set out your approach to the project, following the scope of work identified. The ASEZCo. Is looking to the Bidder to add value to the write up based on their professional experience. Key aspects of your working methodology should be identified. This should be followed by a detailed breakdown of your activities, with associated allocation of time, cost and deliverables.	45		
3 CAPACITY AND EXPERIENCE OF THE PROPOSED TEAM /INDIVIDUAL	15		
a. Demonstrated strategic and operational Human Resources consulting experience at an expert level (minimum 10 years previous consulting experience) ▪ 10 years' relevant experience = 15 ▪ 7 -9 years' relevant experience = 12 ▪ 5-6 years' relevant experience = 8 ▪ Less than 5 years' relevant experience = 0			
4 LOCAL OFFICE / ATLANTIS	10		

An established branch office within Atlantis. Attach proof.	10		
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A minimum threshold of 75 points will apply to qualify to the next stage of Price and BBBEE. Failure to reach the minimum threshold will lead to disqualification.

4. PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

ALL DELIVERY COSTS MUST BE INCLUDED IN THE BID PRICE, FOR DELIVERY AT THE PRESCRIBED DESTINATION.

** “all applicable taxes” includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

No	Description	Unit of measure	Deliverable	Total
1				
2				
3				
4				
	Other Items/ disbursements including VAT			
4	Grand Total			

The total estimated cost of the contract will not exceed R 1 000 000.00 **(One Million Rand)** including VAT and all disbursement.

Please append an official quotation on your company letterhead as well.

Signature of Service Provider

Date

COMPANY STAMP

5. DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
 - 2.1 Full Name of bidder or his or her representative:
 - 2.2 Identity Number:
 - 2.3 Position occupied in the Company (director, trustee, shareholder²):
 - 2.4 Company Registration Number:
 - 2.5 Tax Reference Number:
 - 2.6 VAT Registration Number:
 - 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹“State” means –

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

²²“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7	Are you or any person connected with the bidder presently employed by the state?	YES / NO
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2.7.1 If so, furnish the following particulars:

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

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

Position occupied in the state institution:

Any other particulars:

.....

.....

.....

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

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

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

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

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

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

2.8.1 If so, furnish particulars:

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

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

2.9.1 If so, furnish particulars.

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

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

2.10.1 If so, furnish particulars.

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

2.11 Do you or any of the directors / trustees / shareholders / members **YES/NO**
of the company have any interest in any other related companies
whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

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

3 Full details of directors / trustees / members / shareholders.

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

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

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

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

.....

.....

Signature

Date

.....

.....

Position

Name of bidder

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

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 REGULATIONS, 2017.

1. GENERAL CONDITIONS

- 1.1. The following preference point systems are applicable to all bids:
- 1.1.1. the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - 1.1.2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2.
- 1.2.1. The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
 - 1.2.2. Either the 80/20 or 90/10 preference point system will be applicable to this tender (delete whichever is not applicable for this tender).
 - 1.2.3. Either the 80/20 or 90/10 preference point system will be applicable to this tender (delete whichever is not applicable for this tender).
- 1.3. Points for this bid shall be awarded for:
- 1.3.1. Price; and
 - 1.3.2. 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 CONTRIBUTION	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

- 2.1. **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act.
- 2.2. **"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.
- 2.3. **"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.
- 2.4. **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.5. **"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;
- 2.6. **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- 2.7. **"prices"** includes all applicable taxes less all unconditional discounts.
- 2.8. **"proof of B-BBEE status level of contributor"** means:
 - 2.8.1. B-BBEE Status level certificate issued by an authorized body or person.
 - 2.8.2. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice.
 - 2.8.3. Any other requirement prescribed in terms of the B-BBEE Act.
- 2.9. **"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;
- 2.10. **"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 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

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

or

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

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

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

5. 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 PARAGRAPHS 1.4 AND 4.1

- 6.1. B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 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:

7.1.1.1. What percentage of the contract will be subcontracted.....%

7.1.1.2. The name of the sub-contractor.....

7.1.1.3. The B-BBEE status level of the sub-contractor.....

7.1.1.4. Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
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7.1.1.5. Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME	QSE
	✓	✓
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

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-BBEE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificates, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- 8.8.1. The information furnished is true and correct;
- 8.8.2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- 8.8.3. 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;
- 8.8.4. 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 –
- 8.8.4.1. disqualify the person from the bidding process;
- 8.8.4.2. recover costs, losses or damages it has incurred or suffered as a result of that

person's conduct;

- 8.8.4.3. 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;
- 8.8.4.4. 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
- 8.8.4.5. forward the matter for criminal prosecution.

WITNESSES

- 1.
- 2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

7. 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 bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)

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

8. CONTRACT FORM - RENDERING OF SERVICES
PART 2 (TO BE FILLED IN BY (ASEZ)

1. I.....in my capacity as.....Accept your bid under reference numberdate.....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)	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

9. DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system.
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐

4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐

4.4.1	If so, furnish particulars:
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SBD 8

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

10. CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to

acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

SBD 9

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

(a) has been requested to submit a bid in response to this bid invitation;

- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
- 6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
- 7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
- 8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

11. NATIONAL TREASURY GENERAL CONDITIONS OF CONTRACT (NT GCC)

NATIONAL TREASURY GENERAL CONDITIONS OF CONTRACT (NT GCC)

*Please refer to the website of the National Treasury for the general conditions of contract

<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract-%20Inclusion%20of%20par%2034%20CIBD.pdf>

I confirm that I have read and understand the conditions set out in the above link in terms of the General Conditions of Contract am duly authorized to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

WITNESSES

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