



**GAUTENG PROVINCE**  
PROVINCIAL TREASURY  
REPUBLIC OF SOUTH AFRICA

# Provincial Supply Chain Management

Price Schedule - Goods

Page 1 of 3

<b>Bidder Name</b>		<b>Bid No</b>	
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**NOTE: If the information required regarding each item cannot be inserted in the space provided on either page 1, 2 or 3 of this form, additional information may be attached to this form.**

The Gauteng Provincial Treasury (GPT) is acting as Common Service Provider or buying organisation on behalf of all Gauteng Provincial Government Customer Departments / Institutions. The goods / services are therefore required by the Customer Department / Institution, as indicated on RFP 01.

## CONDITIONS

- All goods or services purchased will be subject to General Conditions of Contract.
- All prices quoted must be inclusive of Value Added Tax (VAT) and prices must be quoted in South African currency.
- In case of goods all delivery and/or railage charges must be included in the offered price(s) and goods must be delivered to the address indicated on RFP 01.
- All delivery lead times submitted must be firm.
- Firm prices, being prices deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise, are preferred to variable prices.
- In case of bidding a price(s) subject to variance, please supply full details by completing RFP 07.
- If an estimated quantity is called for, no guarantee is given that this or any quantity will be bought by GPG.

## PRICING

ITEM NO	ESTIMATED QUANTITY	DESCRIPTION	UNIT OF MEASURE

<b>PRICE PER UNIT OF MEASURE (including VAT)*</b>	<b>R</b>	(Refer to par. 16 of RFP 03 and condition no 3 on RFP 06 page 1 of 3: in case of goods, all delivery and/or railage costs must be included in the offered price*.)
<b>How many days from the Closing Date of the Bid is the offer valid?</b>		

## DELIVERY

<b>TIME REQUIRED FOR DELIVERY AFTER RECEIPT OF ORDER (PLEASE STATE IN HOURS, DAYS, WEEKS OR MONTHS)</b>				
<b>Is the delivery period(s) per item firm? (Also see condition no 4 on RFP 06 page 1 of 3)</b>	Y		N	

## MODEL, SPECIFICATION AND GUARANTEE

<b>Brand and model</b>		<b>Is the offer strictly to specification?</b>	Y		N	
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(For specification – see RPF 05)

<b>If not to specification, state deviation</b>

## GAURANTEE



# Provincial Supply Chain Management

Price Schedule - Goods

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<b>Are the goods/services guaranteed?</b>	Y		N	
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(Also see warranty requirements as required in terms of par. 15 of the General Conditions of Contract)

<b>If a specific guarantee is required in the RFP specification, are the goods/services ACCORDINGLY guaranteed?</b>	Y		N	
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(For specification – see RPF 05)

## MANUFACTURING (in case of goods)

<b>Country of manufacture</b>		<b>Is the bidder the manufacturer of the item?</b>	Y		N	
<b>If not, is a Letter of Supply from the relevant manufacturer(s) attached, confirming firm supply arrangement(s)?</b>			Y		N	

The said manufacturer/company/supplier must confirm that it has familiarised itself with:

- o the item description;
- o specifications; and
- o bid conditions.

If the bid consist of more than one item, it should be clearly indicated in respect of which item(s) the supportive letter has been issued. Failure to submit the Letter of Supply document may invalidate the bid.

<b>Is the bidder the accredited representative in the RSA of the manufacturer of the goods offered? (Also see RPF 01 – page 2)</b>	Y		N	
--	---	--	---	--

**Indicate names and addresses of the factories where the goods will be manufactured/inspected?**

SITE INFORMATION			
Factory Name		Physical Address	
Factory Name		Physical Address	
Factory Name		Physical Address	

## PHYSICAL ASSETS / EQUIPMENT (in case of goods)

<b>What is the address in the RSA where the goods on bid, of the type offered by you may be inspected, preferably under working conditions?</b>

<b>What is the approximate value of spares carried in stock in the RSA for this particular make and model of equipment?</b>	<b>R</b>
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At what address(es) is/are these spares held in stock?

What facilities exist for servicing / maintenance of the equipment offered?

Where (at which address) are these servicing / maintenance facilities available?

### IMPORTATION (in case of goods)

**NOTE:** The under mentioned information must be furnished where the offered price may be affected by the fluctuation in the Rate of Exchange.

(Also ensure that RFP 07 (Non-Firm Prices per item) is completed.)

Is a special import permit required?	Y		N		If only a general import permit is required, indicate your import permit number.	
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Please state the amount in foreign currency in respect of each item, which will be remitted abroad.	R
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At what stage will the amount be remitted abroad?	
---	--

State the Rate(s) of Exchange applied in the conversion of this amount to South African currency.					
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SIGNATURE OF BIDDER		DATE	
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 <p><b>GAUTENG PROVINCE</b> TREASURY REPUBLIC OF SOUTH AFRICA</p>	<h1>Provincial Supply Chain Management</h1>	
	<h2>National Industrial Participation Programme</h2>	Page 1 of 3

SBD 5

This document must be signed and submitted together with your bid

## THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME

### INTRODUCTION

The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.

### 1 PILLARS OF THE PROGRAMME

- 1.1 The NIP obligation is benchmarked on the imported content of the contract. Any contract having an imported content equal to or exceeding US\$ 10 million or other currency equivalent to US\$ 10 million will have a NIP obligation. This threshold of US\$ 10 million can be reached as follows:
- (a) Any single contract with imported content exceeding US\$10 million.
  - or
  - (b) Multiple contracts for the same goods, works or services each with imported content exceeding US\$3 million awarded to one seller over a 2 year period which in total exceeds US\$10 million.
  - or
  - (c) A contract with a renewable option clause, where should the option be exercised the total value of the imported content will exceed US\$10 million.
  - or
  - (d) Multiple suppliers of the same goods, works or services under the same contract, where the value of the imported content of each allocation is equal to or exceeds US\$ 3 million worth of goods, works or services to the same government institution, which in total over a two (2) year period exceeds US\$10 million.

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- 1.2 The NIP obligation applicable to suppliers in respect of sub-paragraphs 1.1 (a) to 1.1 (c) above will amount to 30 % of the imported content whilst suppliers in respect of paragraph 1.1 (d) shall incur 30% of the total NIP obligation on a *pro-rata* basis.
- 1.3 To satisfy the NIP obligation, the DTI would negotiate and conclude agreements such as investments, joint ventures, sub-contracting, licensee production, export promotion, sourcing arrangements and research and development (R&D) with partners or suppliers.
- 1.4 A period of seven years has been identified as the time frame within which to discharge the obligation.

## 2 REQUIREMENTS OF THE DEPARTMENT OF TRADE AND INDUSTRY

- 2.1 In order to ensure effective implementation of the programme, successful bidders (contractors) are required to, immediately after the award of a contract that is in excess of **R10 million** (ten million Rands), submit details of such a contract to the DTI for reporting purposes.
- 2.2 The purpose for reporting details of contracts in excess of the amount of R10 million (ten million Rands) is to cater for multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as provided for in paragraphs 1.1.(b) to 1.1. (d) above.

## 3 BID SUBMISSION AND CONTRACT REPORTING REQUIREMENTS OF BIDDERS AND SUCCESSFUL BIDDERS (CONTRACTORS)

- 3.1 Bidders are required to sign and submit this Standard Bidding Document (SBD 5) together with the bid on the closing date and time.
- 3.2 In order to accommodate multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as indicated in sub-paragraphs 1.1 (b) to 1.1 (d) above and to enable the DTI in determining the NIP obligation, successful bidders (contractors) are required, immediately after being officially notified about any successful bid with a value in excess of R10 million (ten million Rands), to contact and furnish the DTI with the following information:
  - Bid / contract number.
  - Description of the goods, works or services.
  - Date on which the contract was accepted.
  - Name, address and contact details of the government institution.

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- Value of the contract.
- Imported content of the contract, if possible.

3.3 The information required in paragraph 3.2 above must be sent to the Department of Trade and Industry, Private Bag X 84, Pretoria, 0001 for the attention of Mr Elias Malapane within five (5) working days after award of the contract. Mr Malapane may be contacted on telephone (012) 394 1401, facsimile (012) 394 2401 or e-mail at [Elias@thedti.gov.za](mailto:Elias@thedti.gov.za) for further details about the programme.

#### 4 PROCESS TO SATISFY THE NIP OBLIGATION

4.1 Once the successful bidder (contractor) has made contact with and furnished the DTI with the information required, the following steps will be followed:

- a. the contractor and the DTI will determine the NIP obligation;
- b. the contractor and the DTI will sign the NIP obligation agreement;
- c. the contractor will submit a performance guarantee to the DTI;
- d. the contractor will submit a business concept for consideration and approval by the DTI;
- e. upon approval of the business concept by the DTI, the contractor will submit detailed business plans outlining the business concepts;
- f. the contractor will implement the business plans; and
- g. the contractor will submit bi-annual progress reports on approved plans to the DTI.

4.2 The NIP obligation agreement is between the DTI and the successful bidder (contractor) and, therefore, does not involve the purchasing institution.

Name of bidder			
Postal address			
Name (in print)			
Signature		Date	







# Provincial Supply Chain Management

Non-firm Prices

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**NOTE: If the information required regarding each item cannot be inserted in the space provided on either page 1, 2, 3, 4 or 5 of this form, additional information may be provided on a photocopy of this form.**

The \*Gauteng Provincial Treasury (GPT) is acting as Common Service Provider or buying organisation on behalf of all Gauteng Provincial Government Customer Departments / Institutions. The goods / services are therefore required by the Customer Department / Institution, as indicated on RFP 01.

"Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise. "Non-firm" prices are all prices other than "firm" prices and which are either subject to Rate of Exchange claims and/or subject to published indices or documentary evidence.

In case of a contract being awarded as a result of this RFP, all applications for price adjustments must be referred to the GPT, Private Bag X112, Marshalltown. 2107. Price adjustments shall not be backdated and shall be applicable from date of approval by the GPT. The successful supplier shall submit an application, in writing and supported by documentary proof, to the GPT thirty (30) days before the effective date of any price adjustment, whether based on RoE (par. 1), formula(e) (par. 1 and/or 2) or documentary proof (par. 3).

**NOTE: Non-firm prices may be loaded when calculating comparative prices.**

## 1. CLAIMS SUBJECT TO RATE OF EXCHANGE (RoE)

In case of bid prices being subject to Rate of Exchange (RoE) variations, please specify the amount, as well as the applicable rate of exchange at the time of bidding applicable to each item.

Price adjustments, based on changes in the rate of exchange, shall only be considered if the change, based on the previous rate, had moved by more than 5%.

### 1.1 COMPILING THE RoE FORMULA - Cost breakdown structure

**A cost breakdown in terms of local & imported components must be submitted for each item as follows:**

Imported portion	%	Local portion	%	Total	100%
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Whatever breakdown chosen in terms of local and imported components cannot be changed over the duration of any contract awarded based on this RFP.

### 1.2 AMOUNT(S) SUBJECT TO RoE VARIANCE - IMPORTED PORTION OF RoE FORMULA

**Amount(s) subject to exchange rate variations – please specify for each item number individually.**

Item N <sup>o</sup>	
ROE Variance	

(as per item number on RFP 06 Price Schedule)

### 1.3 BASE RoE - IMPORTED PORTION OF RoE FORMULA

**Exchange rate applicable as at the time of bidding – please specify every currency applicable and indicate which items are affected by which exchange rate**

Item N <sup>o</sup>	
EXCHANGE RATE	

(as per item number on RFP 06 Price Schedule)



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Non-firm Prices

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## 2. CLAIMS SUBJECT TO PUBLISHED INDICES

**For all items to which non-firm prices apply, bidders must submit a cost breakdown, which indicates the proportion of the prices subject to adjustment.**

Item N<sup>o</sup>

(as per item number on RFP 06 Price Schedule)

Where price adjustments based on an escalation formula is chosen as the method of price adjustment, variations in the actual costs for whatever reason are for the account of the successful bidder. This implies that:

- formula-based adjustments (as per this method in par 2) and
- proven cost increases (as per the method in par 3) cannot both be entertained at the same time for the same cost element.

### 2.1 METHOD 1: FORMULA BASED ADJUSTMENTS

**2.1.1** The escalation (or price adjustment) formula shall provide for a minimum fixed element of at least 15% of the price, which shall not be subject to adjustment. The following standard formula structure is prescribed for calculating escalation / price adjustments:

**IN CASES OF PERIOD CONTRACTS, NON FIRM PRICES WILL BE ADJUSTED (LOADED) WITH THE ASSESSED CONTRACT PRICE ADJUSTMENTS IMPLICIT IN NON FIRM PRICES WHEN CALCULATING THE COMPARATIVE PRICES**

**IN THIS CATEGORY PRICE ESCALATIONS WILL ONLY BE CONSIDERED IN TERMS OF THE FOLLOWING FORMULA:**

$$Pa = (1 - V)Pt \left( D1 \frac{R1t}{R1o} + D2 \frac{R2t}{R2o} + D3 \frac{R3t}{R3o} + D4 \frac{R4t}{R4o} \right) + VPt$$

Where:

Pa	=	The new escalated price to be calculated.
(1-V)Pt	=	85% of the original bid price. <b>Note that Pt must always be the original bid price and not an escalated price.</b>
D1, D2..	=	Each factor of the bid price eg. labour, transport, clothing, footwear, etc. The total of the various factors D1, D2...etc. must add up to 100%.
R1t, R2t.....	=	Index figure obtained from new index (depends on the number of factors used).
R1o, R2o	=	Index figure at time of bidding.
VPt	=	15% of the original bid price. This portion of the bid price remains firm i.e. it is not subject to any price escalations.

The following index/indices must be used to calculate your bid price:

Index	Dated	Index	Dated	Index	Dated





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Non-firm Prices

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### 3. METHOD 2: ADJUSTMENTS BASED ON DOCUMENTARY PROOF

Price adjustments shall also be considered based on independent trust worthy documentary proof of cost, price variances or payments (forward cover cost).

GPG would however prefer claims based on published indices (as per the method in par 2 above), as a result of the fact that the confidentiality regarding source and price of goods can be maintained with a formula. Providing substantiating or supporting documentation (as per this method in par 3) often reveals information that may be considered confidential by the bidder.

Please again note that

- formula-based adjustments (as per the method in par 2) and
- proven cost increases (as per this method in par 3) cannot both be entertained at the same time for the same cost element.

#### 3.1. Amount(s) subject to change based on documentary proof –

**Please specify for each item individually.**

Item N <sup>o</sup>	
Amount	

(as per item number on RFP 06 Price Schedule)

#### 3.2.1. Fixed price period

GPG suggests an initial fixed period of at least six (6) months from the effective date of any agreement, which may be awarded as a result of this RFP. Specify from what date the first price adjustment would be applicable.

(as per item number on RFP 06 Price Schedule)

#### 3.2.2 Frequency of price adjustments after fixed price period

GPG suggests quarterly adjustments, after the initial fixed price period. Longer periods than three (3) months (quarterly) between adjustments will be considered even more favourably.

(as per item number on RFP 06 Price Schedule)



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## 4 PRICES SUBJECT TO RATE OF EXCHANGE VARIATIONS

4.1. Please furnish full particulars of your financial institution, state the currencies used in the conversion of the prices of the items to South African currency, which portion of the price is subject to rate of exchange variations and the amounts remitted abroad.

PARTICULARS OF FINANCIAL INSTITUTION	ITEM NO	PRICE	CURRENCY	RATE	PORTION OF PRICE SUBJECT TO ROE	AMOUNT IN FOREIGN CURRENCY REMITTED ABROAD
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		

4.2 Adjustments for rate of exchange variations during the contract period will be calculated by using the average monthly exchange rates as issued by your commercial bank for the periods indicated hereunder: (Proof from bank required)

AVERAGE MONTHLY EXCHANGE RATES FOR THE PERIOD:	DATE DOCUMENTATION MUST BE SUBMITTED TO THIS OFFICE	DATE FROM WHICH NEW CALCULATED PRICES WILL BECOME EFFECTIVE	DATE UNTIL WHICH NEW CALCULATED PRICE WILL BE EFFECTIVE

Name(s) & Signature(s) of Bidder(s)	
<b>CAPACITY</b>	
DATE:	

 <p><b>GAUTENG PROVINCE</b> PROVINCIAL TREASURY REPUBLIC OF SOUTH AFRICA</p>	<h1>Provincial Supply Chain Management</h1>	
	<h2>PREFERENCE POINTS CLAIM FORM</h2>	<p>Page: 1 of 6</p>

### 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:

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

1.2

- a) 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
- b) 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:

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

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

	POINTS
<b>PRICE</b>	
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

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.

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## 2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- 1) B-BBEE Status certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

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### 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**

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

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

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## 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:

- (i) what percentage of the contract will be subcontracted?
- (ii) the name of the sub-contractor?
- (iii) the B-BBEE status level of the sub-contractor?
- (iv) whether the sub-contractor is an EME or QSE?

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

(v) 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		
<b>OR</b>		
Any EME		
Any QSE		

**If feasible to subcontract for a contract above R30 million, an organ of state must apply subcontracting to advance designated groups. (As per Preferential Procurement Regulations 2017)**

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### 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 [TICK APPLICABLE BOX]

- Partnership/Joint Venture / Consortium

  
  
  


- One person business/sole propriety

- Close corporation

- Company

- (Pty) Limited

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

8.6 COMPANY CLASSIFICATION [TICK APPLICABLE BOX]

- Manufacturer

- Supplier

- Professional service provider

- Other service providers, e.g. transporter, etc.

  
  
  


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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

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

Name(s) & Signature(s) of Bidder(s)

DATE:

ADDRESS:

WITNESSES

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