

## INDEPENDENT DEVELOPEMNT TRUST

### BID DETAILS: BOOK 1 OF 2: TENDER

**BID NUMBER:** IDT – IDTF- WC 9.B.B1

**CLOSING Date:** 5 DECEMBER 2022  
**Time:** 12:00

**DESCRIPTION:**

**REFURBISHMENTS AND UPGRADES AT BLANCO AND  
ROSEMOOR CLINICS IN WESTERN CAPE PROVINCE,  
EDEN DISTRICT MUNICIPALITY**

**BRIEFING SESSION:** YES ☒ NO

**DETAILS OF BIDDER**

**Organisation/individual:** .....

**Contact person:** .....

**Date:** .....

**Email address:** .....

**Telephone Number:** .....

**Cellular Number:** .....

Procurement process administered by Independent Development Trust

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# 1. THE TENDER

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## **Tender**

### **Part 1: Tendering procedures**

T1.1 - Notice and invitation to tender

T1.2 - Tender data

### **Part 2: Returnable documents**

T2.1- List of returnable documents

T2.2 - Returnable schedules

# PART T1: TENDERING PROCEDURES

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## T1.1 BID NOTICE AND INVITATION TO BID (SBD 1)

### PART A INVITATION TO BID

SBD 1

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	IDT-IDTF: WC 9.B.B1	CLOSING DATE:	5 DECEMBER 2022	CLOSING TIME:	12:00pm
DESCRIPTION	REFURBISHMENTS AND UPGRADES AT BLANCO AND ROSEMOOR CLINICS IN WESTERN CAPE PROVINCE, EDEN DISTRICT MUNICIPALITY				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
THE INDEPENDENT DEVELOPMENT TRUST IDT HEAD OFFICE GLENWOOD OFFICE PARK CORN. OBERON & SPRITE AVE. FAERIE GLEN, PRETORIA 0081					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	TenderWC@idt.org.za		E-MAIL ADDRESS		
<b>SUPPLIER INFORMATION</b>					
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]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</b>					

## PART B

### TERMS AND CONDITIONS FOR BIDDING

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

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

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g. company resolution)

DATE: .....

**IDT-IDTF: WC 9.B.B1:  
REFURBISHMENTS AND UPGRADES AT BLANCO AND ROSEMOOR CLINICS IN WESTERN CAPE  
PROVINCE, EDEN DISTRICT MUNICIPALITY**

The Independent Development Trust (hereinafter referred to as IDT) is a Schedule 2 Public Entity governed by applicable legislative frameworks and a Deed of Trust. The organization is accountable to Parliament through the Minister of Public Works who is the Executive Authority.

Following 1999, The IDT was structured and designated as a Schedule 2 program implementation agency under the Public Finance Management Act (PFMA) (of 1999), with the goal of becoming a leading public sector development program implementation and management agency. Since its inception the IDT has provided a mix of social infrastructure and social development programs.

The mandate of the IDT is to support and add value to the development agenda of government as indicated in the mission statement; "The IDT manages and delivers Integrated Social Infrastructure Programs on behalf of Government".

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**The Closing date for this Bid is: 5 December 2022 at 12:00 pm**

**The bidders are to submit One (1) Original Bid which will be published.**

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BID DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:

TENDER BOX

**THE INDEPENDENT DEVELOPMENT TRUST**

IDT HEAD OFFICE  
Glenwood Office Park  
Corn. Oberon & Sprite Ave.  
Faerie Glen, Pretoria  
0081  
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Handed over the counter at reception situated at the address noted above, if the bid submission is too big for the bid box it will be logged in and left behind the reception counter

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**Bidders must ensure that they sign a tender submission register.**

***No faxed or emailed proposals will be accepted.***

**IF THE BID IS LATE, IT WILL NOT BE ACCEPTED FOR CONSIDERATION.**

- Proposals can be delivered between 08:00am and 16:30, Mondays to Fridays, prior to the closing date, and between 08:00am and 12:00pm on the closing date.
- This Request for Bid is subject to the applicable Conditions of Bid stipulated in T1.2 and, if applicable any other Special Conditions of Contract.
- All Bids must be submitted on the official bid forms (not to be retyped).
- Bids submitted that do not comply with the minimum requirements as stated in T1.3 Bid Data will not be considered for evaluation
- Preferably a table of contents or an index page should be included in the front of the Bid.
- Any queries regarding technical and administrative information may be directed via e-mail 10 working days before the bid closing date to:

### Queries

**Email:**

[TenderWC@idt.org.za](mailto:TenderWC@idt.org.za)

- Requirements for sealing, addressing, delivery, opening and assessment of Bid are stated in the Bid Data T1.2

### **COMPULSORY BRIEFING SESSION**

A compulsory briefing session will be held in respect of this Bid:

**VENUE:** BLANCO CLINIC  
**ADDRESS:** 3 GEORGE LILY RD, CAMPHER'S DRIFT, GEORGE, 6529  
**GPS COORDINATES:** 33°57'42.6"S 22°26'30.5"E  
**DATE:** WEDNESDAY, 16 NOVEMBER 2022  
**STARTING TIME:** 15:00pm

*Failure of bidders to attend the compulsory briefing session, site visit(s) and sign off on the attendance register will render their participation in the Bid invalid.*

### **ELIGIBILITY CRITERIA**

It is estimated that tenderers should have a CIDB contractor grading designation of **5GB** or higher

### **EVALUATION PROCESS**

The submitted proposals will be evaluated in terms of the Mandatory Requirements and Functionality Criteria. For further details refer to "**T2.1 LIST OF RETURNABLE DOCUMENTS**".

### **RESPONSIVENESS CRITERIA**

Only tenderers who are responsive to the following responsiveness criteria are eligible to submit tenders. Failure to comply with the criteria stated hereunder shall result in the tender offer being disqualified from further consideration:

<input checked="" type="checkbox"/>	Only those tenderers who satisfy the eligibility criteria stated in the Tender Data may submit tenders.
<input checked="" type="checkbox"/>	Tender offer must be properly received on the tender closing date and time specified on the invitation, fully completed and signed in ink (all as per Standard Conditions of Tender).
<input checked="" type="checkbox"/>	The tenderer will be required to submit his fully priced Bills of Quantities / Lump Sum Document (complete document inclusive of all parts) together with his tender.
<input checked="" type="checkbox"/>	All returnable schedules/forms must be properly completed as indicated and signed where required and submitted with the tender.
<input checked="" type="checkbox"/>	The bid documents must be completed in black ink.
<input checked="" type="checkbox"/>	If any corrections are made on the bidding document, it needs to be initialed by the bidder.
<input checked="" type="checkbox"/>	The use of correction fluid is strictly prohibited and will lead to disqualification.
<input checked="" type="checkbox"/>	No amendments are allowed other than Addendum issued by IDT in the document if any.



## PREFERENTIAL PROCUREMENT

This bid will be evaluated according to the preferential procurement model in the PPPFA: *(Tick applicable preference point scoring system)*

<input checked="" type="checkbox"/> 80/20 Preference point scoring system	<input type="checkbox"/> 90/10 Preference point scoring system
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<b>Price:</b>	
Price:	80 % of 100
<b>Total must equal:</b>	<b>100%</b>

## FUNCTIONALITY

Note: It is compulsory for all bids involving the acquisition of engineering and construction works to be subjected to functionality from CIDB Grade 6 and above.

<b>FUNCTIONALITY:</b>	
Functionality:	100 %
Minimum Functionality Score	70 %

FUNCTIONALITY CRITERIA						
	Quality Criteria	Sub-criteria	Sub-points		Maximum number of points	
Schedule 1	Bank rating	Original bank report submitted on an original bank letter: - With official bank stamp. - Valid for 60 days from closing date of tender. - Not be older than 2 (two) calendar months from date of tender closing.	Bank rating A	10	10	
			Bank rating B	8		
			Bank rating C	6		
			Bank rating D	4		
			Bank rating E	2		
			No rating	0		
Schedule 2	Organisation Experience	Successfully completed infrastructure Refurbishment and Upgrades projects in occupied facilities of the minimum value of R6m in the past 10 years.	6 and above Projects	45	60	
			4-5 Projects	30		
			3 Projects	20		
			1-2 Projects	10		
		<u>Copy of appointment letter with contract value and completion certificate must be submitted</u>	0 Projects	0		
			Successfully completed Health Sector infrastructure Refurbishment and Upgrades projects in the past 10 years.	5 and above Projects		15
				3-4 Projects		10
				1-2 Projects		5
				<u>Copy of appointment letter with contract value and completion certificate must be submitted</u>		0 Projects
Schedule 3	Key Resource Experience	Contract Manager Experience in General Infrastructure Projects in relation to Refurbishment and Upgrade projects	10 years	15	30	
			6 -9 years	10		
			2-5 years	5		
			Less than 2 years	0		
		<u>Copy of curriculum with full detail of experience</u>	10 years	15		
			6 -9 years	10		
			2-5 years	5		
			<u>Copy of curriculum with full detail of experience</u>	Less than 2 years		0
				Maximum possible score for quality		

## EVALUATING TENDERS

This tender will be evaluated according to the preferential procurement model in the PPPFA in terms of points for price and preference as follows:

The formula:

$$W_C = W_3 \left[ 1 - \frac{(P - P_m)}{P_m} \right]$$

where

$W_C$  = the number of tender evaluation points awarded for the financial offer

$W_3$  = the number of tender evaluation points for financial offer and equals:

- 1) 90 where the financial value inclusive of VAT of all responsive tenders received have a value in excess of R 50 000 000; or
- 2) 80 where the financial value inclusive of VAT of one or more responsive tender offers equals or is less than R 50 000 000

$P_m$  = the lowest acceptable tender offer;

$P$  = the tender offer under consideration.

## SCORING PREFERENCES

Up to 100 minus  $W_3$  tender evaluation points will be awarded to the tenderer who submits a valid original or certified copy of its B-BBEE Status Level Verification Certificate as described in more detail in the Tender Data

A consortium or joint venture will qualify for points for its B-BBEE status level only if such consortium or joint venture submits a consolidated B-BBEE status certificate which covers the consortium or joint venture as a combined unit as if it were a single enterprise.

Tenderers intending to claim preference points as an Exempted Micro Enterprise (EME), must submit a certificate to such effect, issued by a registered auditor, accounting officer as contemplated in S60(4) of the Close Corporation Act, 60 of 1984, or an accredited verification agent. A tenderer qualifying for preference points as an EME or QSE will be allocated points equated to B-BBEE Status Level 2 if such EME / QSE is owned and controlled by at least 51% or more persons classifiable as Black and Level 1 if it is classifiable as 100% black owned, on the basis of not having had any franchise in elections prior to 1994.

Preference points will be allocated according to the following table:

B-BBEE Status Level of contributor	Number of preference points, where $W_3$ :	
	= 90	= 80
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

All tenders must be completed in ink and submitted on the official forms – (forms not to be re-typed).

**Compiled by:**

Independent Development Trust		
Name of Project Manager	Signature	Date

## T1.2 TENDER DATA

The conditions of Bid are the Standard Conditions of Bid as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement (January 2009) as published in Government Gazette No 31823, Board Notice 12 of 2009 of 30 January 2009. (See [www.cidb.org.za](http://www.cidb.org.za)).

The Standard Conditions of Bid make several references to the Bid Data for details that apply specifically to this Bid. The Bid Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Bid.

Each item of data given below is cross-referenced to the clause in the Standard Conditions of Bid to which it mainly applies.

Clause Number	Bid Data
F.1.1	The employer is <b>Independent Development Trust (IDT)</b>
F.1.2	<p>The Bid Documents issued by IDT comprise the documents in Table of Contents</p> <p>For this contract the one-volume approach is adopted.</p> <p>This procurement document has been formatted and compiled under the headings as contained in the CIDB's "Standard for Uniformity in Construction Procurement."</p> <div style="border: 1px solid black; padding: 10px;"> <p>The <b>one volume</b> procurement document issued by the employer comprises the following:</p> <p><b>BOOK 1: TENDER (this document)</b></p> <p><b>Part 1: Tendering procedures</b> T1.1 - Notice and invitation to tender T1.2 - Tender data</p> <p><b>Part 2: Returnable documents</b> T2.1 - List of returnable documents T2.2 - List of returnable documents to be attached</p> <p><b>BOOK 2: CONTRACT</b></p> <p><b>Part 1: Agreement and contract data</b> C1.1 - Form of offer and acceptance C1.2 - Contract data</p> <p><b>Part 2: Pricing data</b> C2.1 - Pricing instructions C2.2 - Bills of Quantities</p> <p><b>Part 3: Scope of work</b> C3 - Scope of work</p> <p><b>Part 4: Site information</b> C4 - Site information</p> <p><b>Part 5: Health &amp; Safety Specification</b> C5 – Health &amp; Safety Specification</p> <p><b>Part 6: Annexures</b> C6.1 –Annexure A: Health &amp; Safety Specification C6.2 –Annexure B: Roll out / Decanting Plan</p> </div>

<b>F.1.4</b>	The employer's agents is  <b>Independent Development Trust</b>
<b>F.1.6</b>	The competitive selection procedure shall be applied
<b>F.2.1</b>	<p><b>A. <u>ELIGIBILITY IN RESPECT OF CIDB REGISTRATION:</u></b></p> <p>Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, for a <b>5GB</b> class of construction work, are eligible to have their tenders evaluated.</p> <p>Joint ventures are eligible to submit tenders provided that:</p> <ol style="list-style-type: none"> <li>1. every member of the joint venture is registered with the CIDB;</li> <li>2. the lead partner has a contractor grading designation in the <b>5GB</b> class of construction work; and</li> <li>3. the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a <b>5GB</b> class of construction work or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations.</li> </ol> <p>Only those Bidders who satisfy the following eligibility criteria will be considered for the next phase of evaluation:</p> <ol style="list-style-type: none"> <li>a. The bidder is actively registered with CIDB grading of <b>5GB</b> class of construction work</li> <li>b. All returnable documents and schedules listed in <b>T2.2 section A and B</b> have been completed and included in the response as per packaging instructions indicated.</li> <li>c. The bidder has not: <ol style="list-style-type: none"> <li>i. Failed to perform on any previous contract and has been given written notice to this effect.</li> </ol> </li> <li>d. The employer is reasonably satisfied that the Bidder has in terms of the Construction Regulations, 2003, issued in terms of the Occupational Health and Safety Act, 1993, the necessary competencies and resources to carry out the work safely.</li> <li>e. The employer is satisfied that the Bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector.</li> <li>f. The bidder as an individual firm or as a consortium must provide the full range of services as set out in the objectives and scope of work.</li> <li>g. The necessary key resources should be either permanent staff members or shall be engaged as sub-contractors to perform the required services.</li> <li>h. The bidder is registered in terms of the Companies Act, 1973 (Act 61 of 1973) or the Close Corporation Act, 1984 (Act No. 69 of 1984) or the Non-Profit Organisations Act, 1997 (Act 71 of 1997).</li> <li>i. If bidding entity is classified as a Joint Venture or Sub-contracting entity that is comprised of multiple organisations, official Joint Venture or Sub contracting agreement is required to be submitted with the bid. Failure of organisation to not submit applicable agreement with this submission will render bid invalid.</li> </ol> <p><i>Non-compliance to any of the eligibility criteria shall render the bid non-responsive and shall be eliminated from the evaluation process. The Bidder is required to provide proof of eligibility as part of Returnable Schedules.</i></p>
<b>F.2.7</b>	For particulars regarding a pre-tender site inspection meeting, see Notice and Invitation to Bid.
<b>F.2.12</b>	No alternative Bid offers will be considered
<b>F.2.13.2</b>	The list of Returnable Documents identifies which of the documents a tenderer must complete when submitting a tender offer. The tenderer must submit his tender offer by completing the Returnable

	Documents, signing the "Offer" section in the "Form of Offer and Acceptance" and delivering the Returnable Documents back with the complete tender.
<b>F.2.13.5</b> <b>F.2.15.1</b>	<p>The employer's detail and address for delivery of bid offers and identification that are to be shown on each bid offer package are:</p> <p>Location of tender box: INDEPENDENT DEVELOPMENT TRUST Physical address: Glenwood Office Park, Cnr Oberon &amp; Sprite Street Faerie Glen, 0043 Identification details: Bid reference number, title of bid and closing date and time of bid</p>
<b>F.2.13.9</b>	Telephonic, telegraphic, telex, facsimile or emailed bid offers will not be accepted.
<b>F.2.15</b>	The closing time for submission of Bid offers is as stated in the Bid Notice and Invitation to Bid.
<b>F.2.16</b>	<p>All Bids shall remain valid for a period of hundred and twenty (120) days after the time and date set for the opening of Bids, or until the Bidder is relieved of this obligation by IDT, in writing at an earlier date. However, the Bidder may be requested in writing not later than fourteen (14) days before this validity period lapse, to extend the validity of this Bid for a specific period. The written approval of the Bidder must then be received before the lapsing of the original validity period, in order to remain valid.</p> <p>Should a Bidder –</p> <ul style="list-style-type: none"> <li>• Withdraw his/her Bid during the period of its validity or</li> <li>• Give notice of his inability to execute the contract or fail to execute the contract</li> </ul> <p>Then he shall be liable for and pay to IDT</p> <ul style="list-style-type: none"> <li>• all expenses incurred in calling for fresh bids, if it should be necessary</li> <li>• the difference between his Bid and any less favourable Bid accepted either by fresh Bids being called or by another Bid being accepted from those already received</li> <li>• any escalation of the final contract price resulting from any delay caused in calling for fresh Bids</li> </ul> <p>Provided always that IDT may exempt a Bidder from the provisions hereof if it is of the opinion that the circumstances justify such exemption.</p>
<b>F.2.18</b>	<p>The tenderer will be required to submit his fully priced Bills of Quantities / Lump Sum Document (complete document inclusive of all parts):</p> <p><input checked="" type="checkbox"/> Together with his tender. or <input type="checkbox"/> Within seven (7) calendar days of the date on which he has been requested to do so prior to the award of the contract.</p>
<b>F.2.19</b>	The employer reserves the right to carry further analysis and complete the due diligence of the Bidder
<b>F.2.23</b>	The Bidder is required to submit all returnable documents listed in the Part T2.1
<b>F.3.1.1</b>	The employer will respond to request for clarification received up to 10 working days before the tender closing date
<b>F.3.2</b>	The employer shall issue addenda until 5 working days before the bid closing time

<b>F.3.4</b>	<p>Bids will be opened immediately after the closing time at:</p> <p>Location of tender box: INDEPENDENT DEVELOPMENT TRUST Physical address: Glenwood Office Park, Cnr Oberon&amp; Sprite St, Faerie Glen, Pretoria, 0043</p> <p>Identification details: Bid reference number, title of bid and closing date and time of bid</p>												
<b>F.3.11</b>	<p>80/20 preference point system for acquisition of goods or services for Rand value equal to or above R30 000 and up to R50 million.</p> <p>90/10 preference point system for acquisition of goods or services with Rand value above R50 million</p> <p>This bid shall be evaluated using <b>80/20</b> system as stipulated in the Preferential Procurement Policy Framework Regulations 2017</p>												
<b>F.3.11.2</b> <b>F.3.11.3</b> <b>F.3.11.7</b>	<p>Scoring Financial Offer:</p> <p>Tender offers will be scored using the following formula:</p> $N_{FO} = W_3 \left[ 1 - \left( \frac{P - P_m}{P_m} \right) \right]$ <p>where</p> <p><math>N_{FO}</math> = number of tender evaluation points awarded for the financial offer</p> <p><math>W_3</math> = the percentage score given for financial offer as stated in the Notice and Invitation to Tender T1 to be the number of tender evaluation points for financial offer and equals:</p> <p>1) 90 where the financial value inclusive of VAT of all responsive tenders received have a value in excess of R 50 000 000; or</p> <p>2) 80 where the financial value inclusive of VAT of one or more responsive tender offers equals or is less than R 50 000 000</p> <p><math>P_m</math> = the comparative offer of the most favourable tender offer</p> <p><math>P</math> = the comparative offer of tender offer under consideration.</p>												
<b>F.3.11.8</b>	<p>Scoring Preferences:</p> <p>Up to 100 minus <math>W_3</math> tender evaluation points will be awarded to the tenderer who submits a valid original or certified copy of its B-BBEE Status Level Verification Certificate which is in compliance with the requirements of instructions and guidelines issued by the National Treasury and is in accordance with notices published by the Newcastle Local Municipality of Trade and Industry in the Government Gazette.</p> <p>Only a B-BBEE Status Level Verification Certificate issued by a registered auditor, accounting officer as contemplated in S60(4) of the Close Corporation Act, 60 of 1984, or an accredited verification agent will be accepted.</p> <p>A consortium or joint venture will qualify for points for its B-BBEE status level only if such consortium or joint venture submits a consolidated B-BBEE status certificate which covers the consortium or joint venture as a combined unit as if it were a single enterprise. Tenderers anticipating tendering in consortium or joint venture must allow sufficient time for obtaining such status level verification.</p> <p>Preference points will be allocated according to the following *table:</p> <table><tr><th>B-BBEE Status Level of contributor</th><th colspan="2">Number of preference points, where <math>W_3</math> :</th></tr><tr><td></td><th>= 90</th><th>= 80</th></tr><tr><td>1</td><td>10</td><td>20</td></tr><tr><td>2</td><td>9</td><td>18</td></tr></table>	B-BBEE Status Level of contributor	Number of preference points, where $W_3$ :			= 90	= 80	1	10	20	2	9	18
B-BBEE Status Level of contributor	Number of preference points, where $W_3$ :												
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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																																																																											
	* PPPFA Regulations 2017 – Reg. 5(2) and Reg.6 (2).																																																																														
F.3.11.3	<p>Note: Functionality may only be applied as a prequalification criterion. Such criteria is used to establish minimum requirements where after bids will be evaluated solely on the basis of price and preference. After the Tenderer has met the minimum requirements for functionality, the Evaluation Committee will evaluate the technical and commercial risk criteria listed hereunder.</p> <p>A bid will not be evaluated further if it fails to meet:</p> <p>(a) A minimum score of 50% for each subsection (schedule) and</p> <p>(b) A minimum threshold of a total of 70 points out of maximum 100 points for functionality for the functionality criteria prescribed in the table below.</p> <p>The functionality criteria and maximum score in respect of each of the criteria are as follows:</p> <table><tr><th colspan="5">FUNCTIONALITY CRITERIA</th></tr><tr><th></th><th>Quality Criteria</th><th>Sub-criteria</th><th colspan="2">Sub-points</th><th>Maximum number of points</th></tr><tr><td rowspan="6">Schedule 1</td><td rowspan="6">Bank rating</td><td rowspan="6">Original bank report submitted on an original bank letter: - With official bank stamp. - Valid for 60 days from closing date of tender. - Not be older than 2 (two) calendar months from date of tender closing.</td><td>Bank rating A</td><td>10</td><td rowspan="6">10</td></tr><tr><td>Bank rating B</td><td>8</td></tr><tr><td>Bank rating C</td><td>6</td></tr><tr><td>Bank rating D</td><td>4</td></tr><tr><td>Bank rating E</td><td>2</td></tr><tr><td>No rating</td><td>0</td></tr><tr><td rowspan="10">Schedule 2</td><td rowspan="10">Organisation Experience</td><td rowspan="5">Successfully completed infrastructure Refurbishment and Upgrades projects in occupied facilities of the minimum value of R6m in the past 10 years.  <u>Copy of appointment letter with contract value and completion certificate must be submitted</u></td><td>6 and above Projects</td><td>45</td><td rowspan="10">60</td></tr><tr><td>4-5 Projects</td><td>30</td></tr><tr><td>3 Projects</td><td>20</td></tr><tr><td>1-2 Projects</td><td>10</td></tr><tr><td>0 Projects</td><td>0</td></tr><tr><td rowspan="5">Successfully completed Health Sector infrastructure Refurbishment and Upgrades projects in the past 10 years.  <u>Copy of appointment letter with contract value and completion certificate must be submitted</u></td><td>5 and above Projects</td><td>15</td></tr><tr><td>3-4 Projects</td><td>10</td></tr><tr><td>1-2 Projects</td><td>5</td></tr><tr><td>0 Projects</td><td>0</td></tr><tr><td rowspan="7">Schedule 3</td><td rowspan="7">Key Resource Experience</td><td rowspan="3">Contract Manager Experience in General Infrastructure Projects in relation to Refurbishment and Upgrade projects  <u>Copy of curriculum with full detail of experience</u></td><td>10 years</td><td>15</td><td rowspan="7">30</td></tr><tr><td>6 -9 years</td><td>10</td></tr><tr><td>2-5 years</td><td>5</td></tr><tr><td rowspan="4">Site Agent Experience in General Infrastructure Projects in relation to Refurbishment and Upgrade projects  <u>Copy of curriculum with full detail of experience</u></td><td>Less than 2 years</td><td>0</td></tr><tr><td>10 years</td><td>15</td></tr><tr><td>6 -9 years</td><td>10</td></tr><tr><td>2-5 years</td><td>5</td></tr><tr><td colspan="5">Maximum possible score for quality</td><td>100</td></tr></table>				FUNCTIONALITY CRITERIA						Quality Criteria	Sub-criteria	Sub-points		Maximum number of points	Schedule 1	Bank rating	Original bank report submitted on an original bank letter: - With official bank stamp. - Valid for 60 days from closing date of tender. - Not be older than 2 (two) calendar months from date of tender closing.	Bank rating A	10	10	Bank rating B	8	Bank rating C	6	Bank rating D	4	Bank rating E	2	No rating	0	Schedule 2	Organisation Experience	Successfully completed infrastructure Refurbishment and Upgrades projects in occupied facilities of the minimum value of R6m in the past 10 years.  <u>Copy of appointment letter with contract value and completion certificate must be submitted</u>	6 and above Projects	45	60	4-5 Projects	30	3 Projects	20	1-2 Projects	10	0 Projects	0	Successfully completed Health Sector infrastructure Refurbishment and Upgrades projects in the past 10 years.  <u>Copy of appointment letter with contract value and completion certificate must be submitted</u>	5 and above Projects	15	3-4 Projects	10	1-2 Projects	5	0 Projects	0	Schedule 3	Key Resource Experience	Contract Manager Experience in General Infrastructure Projects in relation to Refurbishment and Upgrade projects  <u>Copy of curriculum with full detail of experience</u>	10 years	15	30	6 -9 years	10	2-5 years	5	Site Agent Experience in General Infrastructure Projects in relation to Refurbishment and Upgrade projects  <u>Copy of curriculum with full detail of experience</u>	Less than 2 years	0	10 years	15	6 -9 years	10	2-5 years	5	Maximum possible score for quality					100
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	<p>Scoring Methodology for each criteria stated above is described in detail in Section 2.2, Returnable Documents</p> <p>The sub criteria base values are set in accordance with the Scope of Works and is less or equal to the best annual turnover of the designated grading of the Contractor.</p> <p>Quality shall be scored by not less than three (3) evaluators in accordance with the evaluation schedules:</p> <p><b><u>B ELIGIBILITY IN RESPECT OF RISK TO THE EMPLOYER:</u></b></p> <p>Tender offers will be evaluated by an Bid Evaluation Committee.</p> <p>For the evaluation reports to be prepared by the BEC the Tenderer is obliged to provide comprehensive information as stipulated in the evaluation schedules with contactable references in accordance with the quality criteria. Failure to complete the said form will cause the tender to be declared non-responsive and removed from any further consideration. The completion of the evaluation schedules is compulsory, and the Tenderer must verify that the references can be contacted.</p> <p>The Employer reserves the right to request additional information over and above that which is provided by the Tenderer on said form. The information must be provided by the Tenderer within the stipulated time as determined by the Employer, failing which the tender offer will <i>mutatis mutandis</i> be declared non-responsive.</p> <p><b><u>B.2 Commercial risks:</u></b></p> <p>The level to which agreement with the Tenderer is reached in respect of the adjustment of rates which are considered to be imbalanced or unreasonable and to eliminate errors or discrepancies, without changing the tendered total price, over and above the correction of arithmetical errors as provided for in F.3.9.</p>
<b>F.3.13.1</b>	<p>Bid offers will only be accepted if:</p> <ol style="list-style-type: none"> <li>the Bidder has provided his or her tax Pin or Tax Clearance</li> <li>the Bidder or any of its directors is not listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; (National Treasury Restricted Bidders List) and</li> <li>The bidder does not appear in the CIDB list of Restricted Bidders</li> <li>the Bidder has not abused the IDT's Supply Chain Management System; or Failed to perform on any previous contract and has been given a written notice to this effect.</li> <li>It is considered that the performance of the services will not be compromised through any conflict of interest.</li> <li>the Bidder is registered with the Construction Industry Development Board in an appropriate contractor grading designation.</li> <li>the Bidder is registered and in good standing with the compensation fund or with a licensed compensation insurer.</li> <li>the employer is reasonably satisfied that the tenderer has in terms of the Construction Regulations, 2014, issued in terms of the Occupational Health and Safety Act, 1993, the necessary competencies and resources to carry out the work safely.</li> <li>The bidder is not registered on the National Treasury Centralised Supplier Database (CSD)</li> </ol>
<b>F.3.17</b>	<p>Provide to the successful tenderer one copy of the signed contract document.</p>

# **PART T2: RETURNABLE DOCUMENTS**

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## T2.1 LIST OF RETURNABLE DOCUMENTS

Bidders are expected to submit the following compulsory documentation. Failure to comply with any of the requirements will result in automatic disqualification.

Each related returnable to be completed in black ink and should be bound together with the Bid.

### Stage One: Mandatory Requirements / Documentation

Numbered	Returnable documents	Attached	Not attached
<b>FORM 1</b>	Bid Sign Off		
<b>FORM 2</b>	Compulsory Enterprise Questionnaire		
<b>FORM 3</b>	Declaration of Bidder's Past Supply Chain Practices		
<b>FORM 4</b>	Certificate of Authority of An Entity		
<b>FORM 5</b>	Authority of Signature		
<b>FORM 6</b>	SBD 6.1: Preference Points Claimed - & BBBEE Certificate		
<b>FORM 7</b>	SBD 4: Declaration of Interest		
<b>FORM 8</b>	Declaration of Bidder Litigation History		
<b>FORM 9</b>	SBD 9: Certificate of Independent Bid Determination		
<b>FORM 10</b>	Company Registration Certificate		
<b>FORM 11</b>	Record of Addenda to Bid Documents		
<b>FORM 12</b>	Record of Construction Services Provided to Organs of State		
<b>FORM 13</b>	CIDB Grading and Category Confirmation		
<b>FORM 14</b>	Schedule of Plant and Equipment		
<b>FORM 15</b>	Schedule of Proposed Subcontractors		
<b>FORM 16</b>	Schedule of Proposed Suppliers		
<b>FORM 17</b>	Contract Participation Goal		
<b>FORM 18</b>	Schedule of Targeted EME or QSE Qualifying Sub-Contractors		
<b>FORM 19</b>	SBD 6.2: Declaration Certificate for Local Production and Content for Designated Sectors		
<b>FORM 20</b>	Briefing Meeting Attendance Certificate		
<b>FORM 21</b>	Form of Offer and Acceptance		

### Stage Two Functionality

Schedule	Functionality Criteria	Points Allocated
1	Bank Rating =	10
2	Organisation Experience =	60
2	Key Resource Experience =	30

Minimum functionality for Stage Two is 70% with a sub-criteria that 50% must be achieved for each Schedule.

<b>Name of Tenderer</b>	<b>Signature</b>	<b>Capacity</b>	<b>Date</b>
<b>Name of organisation:</b>			

## FORM 1: BID SIGN-OFF

**All Bidders must furnish the following particulars and include them in their submission (Failure to do so will result in your proposal being disqualified)**

Entity name: .....

Registration number: .....

Tax registration number: .....

Tax Clearance Certificate submitted: YES / NO

VAT registration number .....

Postal address: .....

.....

Street address: .....

.....

Telephone number: Code: ..... Number: .....

Cellular number: .....

Facsimile number: Code: ..... Number: .....

E-mail address: .....

**Contact details of responsible person who will act on behalf of the entity/consortium/joint venture for this BID**

Name and Surname: .....

Telephone number: Code: ..... Number: .....

Cellular number .....

Facsimile number: Code: ..... Number: .....

E-mail address: .....

**Contact details of alternative responsible person who will act on behalf of the person above should he/she not be available**

Name and Surname: .....

Telephone number: Code: ..... Number: .....

Cellular number: .....

Facsimile number: Code: ..... Number: .....

E-mail address: .....

## Declaration

I/We have examined the information provided in your BID and offer to undertake the work prescribed in accordance with the requirements as set out in the BID. The prices quoted in our proposal are valid for the stipulated period. I/We confirm the availability of the proposed team members. We confirm that this proposal will remain binding upon us and may be accepted by you at any time before the expiry date.

Signature of Bidder: \_\_\_\_\_

Date: \_\_\_\_\_

Are you duly authorised to commit the Bidder: YES / NO

Capacity under which this proposal is signed \_\_\_\_\_

***Failure on the part of the Bidder to sign this form and thus to acknowledge and accept the conditions in writing or to complete the attached forms, questionnaires, and specifications in all respects, will invalidate the proposal.***

## FORM 2: COMPULSORY ENTERPRISE QUESTIONNAIRE

The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.

**Section 1:** Name of enterprise:

**Section 2:** VAT registration number, if any:

**Section 3:** CIDB registration number, if any:

**Section 4:** Particulars of sole proprietors and partners in partnerships

Name*	Identity number*	Personal income tax number*

\* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

**Section 5: Particulars of companies and close corporations**

Company registration number .....

Close corporation number .....

Tax reference number .....

**Section 6: Record in the service of the state**

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

- |  |   |
|--|---|
| <input type="checkbox"/> a member of any municipal council                                     | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature                                | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity  |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> an employee of Parliament or a provincial legislature  |
| 1. a member of the board of directors of any municipal entity                                  |   |
| 2. an official of any municipality or municipal entity   |   |

**If any of the above boxes are marked, disclose the following:**

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

\*insert separate page if necessary

### Section 7: Record of spouses, children and parents in the service of the state

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

- |  |   |
|--|---|
| <input type="checkbox"/> a member of any municipal council                                     | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature                                |   |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity  |
| 3. a member of the board of directors of any municipal entity                                  | <input type="checkbox"/> an employee of Parliament or a provincial legislature  |
| 4. an official of any municipality or municipal entity   |   |

Name of spouse, child or parent	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

\*insert separate page if necessary

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:  
i) authorizes the IDT to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;

- ii) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Bid Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other Biding entities submitting Bid offers and have no other relationship with any of the Bidders or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- iv) Confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

<b>Name of Tenderer</b>	<b>Signature</b>	<b>Capacity</b>	<b>Date</b>
<b>Name of organisation:</b>			



## FORM 3: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

4 This Bid shall be disregarded if the Bidder, or any of its directors have:

- a) Abused the institutions supply chain management systems;
- b) Committed fraud or any other improper conduct in relation to such a system; or
- c) Failed to perform on any previous contract

5 In order to give effect to the above, the following questionnaire may be completed and submitted with the Bid.

NO.	QUESTION	YES	NO
2.1	Is the Bidder or any of its directors listed on the National Treasury's database 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 National Treasury after the <i>audialterampartem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website ( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) and can be accessed by clicking on its link at the bottom of the home page.		
2.2	If so, furnish particulars		
2.3	Is the Bidder or any of its directors listed on the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>The Register for Bid Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>		
2.4	If so, furnish particulars		
2.5	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?		
2.6	If so, furnish particulars		
2.7	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?		
2.8	If so, furnish particulars		

## **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

## FORM 4: CERTIFICATE OF AUTHORITY OF AN ENTITY

Please complete in full and attach required documents (if applicable) defining the bidding company status by ticking the appropriate box hereunder.

	BIDDER STATUS	*TICK OFF APPLICABLE STATUS
One Company Bidding	<b>Company</b> <i>Documents required: No documents required</i>	
	<b>Close Corporation</b> <i>Documents required: No documents required</i>	
	<b>Partnership</b> <i>Documents required: No documents required</i>	
	<b>Sole Proprietor</b> <i>Documents required: No documents required</i>	
Multiple-Companies Bidding	<b>Joint Venture / Consortium</b> <i>Documents required: attach joint venture agreement signed by all members.</i>	
	<b>Sub-contracting</b> <i>Documents required: attach Sub-Contracting Agreement signed by all members.</i>	

Please note that if your Bid is identified as a Bid with Multiple Companies bidding which is either classified as a Joint Venture / Consortium or Subcontracting and the required attached document (Agreement) is not submitted, bidders will be regarded as invalid.

### Declaration

I/We have examined the required information requested and I/We confirm that the documents and information provided is correct and reflective of the entities current status.

Signature of Bidder: \_\_\_\_\_

Date: \_\_\_\_\_

Are you duly authorised to commit the Bidder: YES / NO

Capacity under which this proposal is signed: \_\_\_\_\_

## FORM 5: AUTHORITY OF SIGNATURE

RESOLUTION of a meeting of the Board of \*Directors / Members / Partners/:

Name of Firms ..... held on the  
..... That:

FULL NAMES

SIGNATURES

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

In his/her capacity as ..... Is / are hereby authorised to enter into, sign and execute and complete any documents relating to Bid and or Contracts for the supply of goods and services.

Name	Address	Signature	Date

NOTE:

- This is to be completed by all bidders including Sole Proprietors (\*Delete which is not applicable)
- NB: This resolution must be signed by all the Directors / Members/ Partners of the Bidding Enterprise
- Should the number of Directors / Members / Partners exceed the space available above additional names and signatures must be supplied on a separate page.

ENTERPRISE STAMP

## FORM 6: SBD 6.1: 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 not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 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
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

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

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

## 2. DEFINITIONS

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

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 4. POINTS AWARDED FOR PRICE

#### 4.1 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

#### 4.2 **FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT**

#### 4.3 **POINTS AWARDED FOR PRICE**

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

**80/20 or 90/10**

$$Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmax = Price of highest acceptable bid

#### 5. **POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**

- 5.1 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>B-BBEE Status Level of Contributor</b>	<b>Number of points (90/10 system)</b>	<b>Number of points (80/20 system)</b>
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

#### 6. **BID DECLARATION**

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

#### 7. **B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

- 7.1 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.

## 8. SUB-CONTRACTING

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

(***Tick applicable box***)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

8.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(***Tick applicable box***)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME</b> ✓	<b>QSE</b> ✓
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		



**9. DECLARATION WITH REGARD TO COMPANY/FIRM**

9.1 Name of company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

**9.4 TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

**9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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

**9.6 COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

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

9.8 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 contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that

person's conduct;

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

.....	
SIGNATURE(S) OF BIDDERS(S)	
DATE:	.....
ADDRESS	.....
	.....
	.....

WITNESSES	
1.	.....
2.	.....

## FORM 7: SBD 4: BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

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

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

### 2. BIDDER'S DECLARATION

- 1.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state?

**YES/NO**

- 1.1.1 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 institution	State

- 1.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

**YES/NO**

- 1.2.1 If so, furnish particulars:

.....  
.....

- 1.3 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**

<sup>1</sup> 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.

1.3.1 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 consortium<sup>2</sup> 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 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

\_\_\_\_\_

## FORM 8: DECLARATION OF BIDDERS LITIGATION HISTORY

The Bidder shall list below details of any litigation with which the Bidder (including directors, shareholders of other senior members in previous companies) has been involved with any organ of state or state department including IDT within the last ten years. The details must include the year, the litigation parties, and the subject matter of dispute the value of any award or estimated award if the litigation is current and in whose favour the award if any was made.

CLIENT	OTHER LITIGATING PARTY	DISPUTE	AWARD VALUE	DATE RESOLVED

### CERTIFICATION

I, the undersigned (full name).....

Certify that the information furnished in this declaration form 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.

Name: .....

Capacity of authorised agents: .....

Signature(s) of authorised agents: .....

Signed at ..... On this day of .....

Witness (Full name and signatures)

As Witnesses:

Signatures

1..... Name in Block Letters.....

2..... Name in Block Letters.....

## **FORM 9: SBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1.1.1. This Standard Bidding Document (SBD) must form part of all bids invited
- 1.1.2. 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). Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds
- 1.1.3. 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 authorises accounting officers and accounting authorities to:
  - 1.1.3.1 Disregard the bid of any Bidder if that Bidder or any of its directors have abused the institutions' supply chain management system and or committee fraud or any other improper conduct in relation to such system
  - 1.1.3.2 Cancel a contract awarded to supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process of the execution of that contract
- 1.1.4 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.
- 1.1.5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD()) must be completed and submitted with the Bid

## SBD 9

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

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)

I have read and I understand the contents of this Certificate;

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

I am authorised by the Bidder to sign this Certificate and to submit the accompanying bid on behalf of the Bidder;

Each person whose signature appears on the accompanying bid has been authorised by the Bidder to determine the terms of and to sign the bid, on behalf of the Bidder;

For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organisation, other than the Bidder, whether or not affiliated with the Bidder who:

1. Has been requested to submit a bid in response to this bid invitation
2. Could potentially submit a bid in response to this bid invitation, based in their qualifications, abilities or experience and
3. Provides the same goods and services as the Bidder and or is in the same line of business as the Bidder.

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 consortium will not be construed as collusive bidding

In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- Prices;
- Geographical area where product or service will be rendered (market allocation)
- Methods, factors or formulas used to calculate prices
- The intention or decision to submit or not to submit a bid;
- The submission of a bid does not meet the specifications and conditions of the bid or
- Bidding with the intention not to win the bid

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

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 awarding of the contract

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 no12 of 2004.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder



## FORM 10: COMPANY REGISTRATION CERTIFICATE (CIPC CHECK)

The Bidder must submit an original or certified copy of the Company registration CERTIFICATE clearly indicating:

The date of registration of the company.

- 1.1 The date the business become operational
- 1.2 The status of the company and
- 1.3 The active Directors participating in the day-to-day activities

Failure to submit the Company Registration Certificate may result in the Bidder being disqualified

See detail below for further information

- FORM OF COMPANY AND PROOF OF REGISTRATION

- General

State whether the bidder is a company, a closed corporation, a partnership a sole proprietor or joint venture

[Mark the appropriate below]

Public Company	
Private Company	
Closed Corporation	
Partnership	
Sole Proprietor	
Co-operative	
Joint Venture	

- Information to be provided

If the Bidding Entity is a:		Documentation to be submitted with the Bid
1	Close Corporation, incorporated under the Close Corporation Act, 1984 Act 69 1984	CIPRO CK1 and CK2 (Copies of the founding statement) and list of members.
2	Private Company incorporated with share capital under the companies Act 1973 Act 61 of 1973 including Companies incorporated under Act 53 (b)	Copies of 1 CIPRO CM1 – Certificate of Incorporation 2 CIPRO CM29 – Contents of Register of Directors, Auditors and Officers 3 Shareholders Certificates of all Members of the Company
3	Private Company incorporated with share capital under the companies Act 1973 Act 61 of 1973 which any or all shares are held by another Close Corporation or company with or without share capital	Copies of documents referred to in 1 and or 2 above in respect of all such Closed Corporations and or companies
4	Public Company incorporated with share capital under the companies Act 1973 Act 61 of 1973 including Companies incorporated under Act 21	A signed statement of the Company's Secretary confirming that the Company is a public company. Copy of CM 29
5	Sole Proprietary or Partnership	Copy of the Identity Document of Sole Proprietor
6	Corporative	CIPRO CR2 – Copies of Company registration document. The percentage of work to be done by each partner must clearly be indicated on Form 7 – Preference Points Claim Form in terms of the Preferential Procurement Regulation 2017

7	Joint Venture	All the documents (as described above) as applicable to each partner in the JV as well as a certified copy of the Joint Venture Agreement. (The percentage of work to be done by each partner of the joint venture must clearly be indicated in the Joint Venture Agreement)
---	---------------	--

**NOTE:**

If the shares are held in trust provide a copy of the Deed of Trust (only the front page and pages listing the trustees and beneficiaries are required as well as the Letter of Authority as issued by the Master of the Supreme Court, wherein trustees have been duly appointed and authorised, must be provided  
Include a copy of the Certificate of Change of Name (CM9) if applicable

Registered for VAT purposes in terms of the Value-Added Tax Act, (Act No.89 of 1991)

Yes

No

VAT REGISTRATION NO: .....

## FORM 11: RECORD OF ADDENDA TO BID DOCUMENTS

We confirm that the following communications received from the IDT before the submission of this Bid offer, amending the Bid documents, have been taken into account in this Bid offer:		
	<b>Date</b>	<b>Title or Details</b>
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

*(Attach additional pages if more space is required)*

<b>Name of Tenderer</b>	<b>Signature</b>	<b>Capacity</b>	<b>Date</b>
<b>Name of organisation:</b>			

## FORM 12: RECORD OF CONSTRUCTION SERVICES PROVIDED TO ORGANS OF STATE

Bidders are required to complete this record in terms of the Supply Chain Management Regulations issued in terms of the Municipal Finance Management Act of 2003.

Include only those contracts where the Bidder identified in the signature block below was directly contracted by the IDT. Bidders must not include construction services provided in terms of a sub consultancy agreement.

Where contracts were awarded in the name of a joint venture and the Bidder formed part of that joint venture, indicate in the column entitled "Title of the contract for the construction service" that it was in joint venture and provide the name of the joint venture that contracted with the employer. In the column for the value of the contract for the service, record the value of the portion of the contract performed (or to be performed) by the Bid.

Complete the record or attach the required information in the prescribed tabulation.

### Part A: All construction services commenced or completed to an organ of state in the last five years

#	Organ of state, i.e. national or provincial department, public entity, municipality or municipal entity.	Title of contract for the construction service	Value of contract for service incl. VAT (Rand)	Date completed (State current if not yet completed)
1.				
2.				
3.				

### Part B: Similar construction services provided to an organ of state

The following contracts recorded in Part A provided similar construction services to those required in terms of the scope of work to this Bid:

.....

.....

.....

.....

.....

.....

.....

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

*Bidder* \_\_\_\_\_

## FORM 13: CIDB GRADING AND CATEGORY CONFIRMATION

*It is a condition that bidders submit an attached copy of CIDB certificate which must be valid at the tender closing date.*

<b>Name of Tenderer</b>	<b>Signature</b>	<b>Capacity</b>	<b>Date</b>
<b>Name of organisation:</b>			

## FORM 14: SCHEDULE OF PLANT AND EQUIPMENT

The following are lists of major items of relevant equipment that I / we presently own or lease and will have available for this contract if my / our tender is accepted.

- **Details of major equipment owned by me / us and immediately available for this contract.**

DESCRIPTION ( <i>type, size, capacity etc.</i> )	QUANTITY	YEAR OF MANUFACTURE

**Attach additional pages if more space is required**

- (b) **Details of major equipment that will be hired, or acquired for this contract if my / our tender is accepted**

DESCRIPTION ( <i>type, size, capacity etc.</i> )	QUANTITY	HOW ACQUIRED	
		HIRE/ BUY	SOURCE

**Attach additional pages if more space is required**

The Tenderer undertakes to bring onto site without additional cost to the Employer any additional plant not listed but which may be necessary to complete the contract within the specified contract period.

***Failure to complete this form properly and correctly, will lead to the conclusion that the tenderer does not have the necessary plant and equipment resources at his disposal, which will prejudice his tender.***

SIGNATURE: ..... IDENTITY NUMBER: .....

(of person authorised to sign on behalf of the Tenderer)

DATE:.....

## FORM 15: SCHEDULE OF PROPOSED SUBCONTRACTORS

We notify you that it is our intention to employ the following Subcontractors for work in this contract. If we are awarded a contract, we agree that this notification does not change the requirement for us to submit the names of proposed Subcontractors in accordance with requirements in the contract for such appointments. If there are no such requirements in the contract, then your written acceptance of this list shall be binding between us.

We confirm that all subcontractors who are contracted to construct a house are registered as home builders with the National Home Builders Registration Council.

	Nature and extent of work	Competent Person	Previous experience with Subcontractor
	Name and address of proposed Subcontractor	Qualifications	
1.			
2.			
3.			
4.			
5.			
6.			
7.			

Name of Tenderer	Signature	Capacity	Date
Name of organisation:			

## FORM 16: SCHEDULE OF PROPOSED SUPPLIERS

Tenders shall state at the time of tendering, submit the names of specialist equipment suppliers to be used on the project;

**Specialist suppliers are to confirm in writing that they have received all relevant tender documentation, specifications and drawings from the tenderer.**

	Materials / Equipment, etc.	Specialist Supplier
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		

Name of Tenderer	Signature	Capacity	Date
Name of organisation:			



## FORM 17: CONTRACT PARTICIPATION GOAL

Tenders shall at the time of tendering indicate the compulsory compliance with the Contract Participation Goal Requirements set out below;

In addition to Preferential Procurement Regulations 2017 relating to contracts over R30 million that requires **30%** of contract to be subcontracted, this project and contracts also aims to create work opportunities for potentially emerging contractors, suppliers and local skilled and general labour to provide a platform for sustainable growth in experience and capacity.

The Contractor is required to achieve a Total CPG Target of **30%** of the contract which comprises of the following:

- The Contractor will be required to ensure a minimum **20%** of the contract be subcontracted to 51% black owned local Targeted Exempted Micro Enterprises (EME's) and Qualifying Small Enterprise (QSE's) (within the Province).
- In addition to subcontracting, a minimum **5%** of the contract sum for local suppliers and a minimum **5%** of the contract sum must be allocated for the employment of local skilled and general labour by the Contractor and his sub-contractors.

A penalty of **50%** on the difference between the targeted value and the actual value will be applied should the contractor fail to attain the percentage targets for Subcontracting to qualified EME's and QSE's, local suppliers and local labour.

The Principal Contractor shall be liable for the acts, defaults and negligence of any subcontractor, his agents or employees as fully as if they were the acts, defaults or negligence of the Contractor.

The appointment of subcontractors shall not amount to a contract between the Employer and the subcontractor, or a responsibility or liability on the part of the Employer to the subcontractor and shall not relieve the Contractor from any liability or obligation under the Contract.

Details with regards to the requirements are clearly stated in the Contract Part C3.3 Contract Participation Goal Requirements.

The tenderer is hereby required to indicate compliance with regards to the requirement by completing the required percentage in black ink in the table below:

	Contract Participation Goal Requirements	Minimum %	Indicate Percentage
<b>1</b>	% of contract to be subcontracted to 51% black owned local EME's and QSE's (within the Province)	20,0%	.....%
<b>2</b>	% of the contract sum for 51% black owned local suppliers	5,0%	.....%
<b>3</b>	% of the contract sum must be allocated for the employment of local skilled and general labour	5,0%	.....%
<b>Total CPG Target = 30,0%</b>			

\* Please note that the total sum must be = 30,0%

<b>Name of Tenderer</b>	<b>Signature</b>	<b>Capacity</b>	<b>Date</b>
<b>Name of organisation:</b>			

## FORM 18: SCHEDULE OF TARGETED EME OR QSE QUALIFYING SUB-CONTRACTORS

Tenders shall state at the time of tendering, submit the names of Targeted Exempted Micro Enterprises (EME's) and Qualifying Small Enterprise (QSE) to be used on the project;

The tenderers tender price will determine the sum of the Participation goal based as a percentage of the total actual works cost as shown in the summary pages of the Bill of Quantities stated as a compulsory minimum of 20% of the value of work done and must subcontracted to qualifying EME's and QSE'S.

During the tender stage, the Contractor shall identify EME's, QSE's and local Potentially Emerging subcontractors whose business is registered within the particular province, giving priority to surrounding districts.

Should the contractor fail to attain the percentage targets for Subcontracting to qualified EME's and QSE's, Subcontracting to Potentially Emerging Contractors, Suppliers, Skilled and local labour, a penalty of 5% on the difference between the targeted value and the actual value will be applied.

SCHEDULE OF TARGETED EME OR QSE QUALIFYING SUB-CONTRACTORS			
Sub-contractor	CSD No., if registered	B-BBEE Level	Sub-contractors approximate Percentage of Contract Value
TOTAL PERCENTAGE OF CONTRACT VALUE SUB-CONTRACTED			

Name of Tenderer	Signature	Capacity	Date
Name of organisation:			

## FORM 19: SBD 6.2: DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

### 1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, 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.
- 1.4. 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.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

**The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.**

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

**2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
Electrical / Telecom cables	90%
Structural Steel	100%
Roofing and Cladding	100%
Fasteners	100%
Wire Products	100%
Ducting and Structural Pipework	100%
Gutters and Downpipes	100%
Wire Rod and Drawn Wire	100%
Steel Sections	100%
Reinforcing bars	100%

3. Does any portion of the goods or services offered have any imported content?  
(**Tick applicable box**)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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- 3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on [www.resbank.co.za](http://www.resbank.co.za)

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

<b>Currency</b>	<b>Rates of exchange</b>
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

**LOCAL CONTENT DECLARATION**  
**(REFER TO ANNEX B OF SATS 1286:2011)**

**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 BID NO. ....**

**ISSUED BY:** (Procurement Authority / Name of Institution):

.....  
NB

- 1 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.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on [http://www.thedti.gov.za/industrial\\_development/ip.jsp](http://www.thedti.gov.za/industrial_development/ip.jsp). Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

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:
  - (i) 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 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

- (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 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## FORM 20: BRIEFING MEETING ATTENDANCE CERTIFICATE

This is to certify that I,

\_\_\_\_\_ representing

\_\_\_\_\_ in the company

of \_\_\_\_\_ visited the site on:

I have made myself familiar with all local conditions likely to influence the work and the cost thereof. I further certify that I am satisfied with the description of the work and explanations given at the site inspection meeting and that I understand perfectly the work to be done, as specified and implied, in the execution of this contract.

Name of Tenderer	Signature	Date

Name of Client Representative	Signature	Date

## FORM 21: FORM OF OFFER AND ACCEPTANCE

***Failure on the part of the bidder to sign this form will invalidate the quotation***

<b>Project title:</b>	<b>REFURBISHMENTS AND UPGRADES AT BLANCO AND ROSEMOOR CLINICS IN WESTERN CAPE PROVINCE, EDEN DISTRICT MUNICIPALITY</b>
<b>Tender no:</b>	<b>IDT-IDTF: WC 9.B.B1:</b>

### OFFER

The Employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of:

#### **REFURBISHMENTS AND UPGRADES AT BLANCO AND ROSEMOOR CLINICS IN WESTERN CAPE PROVINCE, EDEN DISTRICT MUNICIPALITY**

The Tenderer, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of tender.

By the representative of the Tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the Tenderer offers to perform all of the obligations and liabilities of the Contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

#### **THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:**

<b>Rand (in words):</b>	
<b>Rand in figures:</b>	<b>R</b>

This offer may be accepted by the Employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the tender data, whereupon the Tenderer becomes the party named as the Contractor in the conditions of contract identified in the contract data.

#### **IS MADE BY THE FOLLOWING LEGAL ENTITY:** (cross out block which is not applicable)

<div>Company or Close Corporation: ..... ..... And: Whose Registration Number is: ..... And: Whose Income Tax Reference Number is: .....</div>	<b>OR</b>	<div>Natural Person or Partnership: ..... ..... Whose Identity Number(s) is/are: ..... Whose Income Tax Reference Number is/are: .....</div>
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#### **AND WHO IS** (if applicable):

Trading under the name and style of: .....
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**AND WHO IS:**

Represented herein, and who is duly authorised to do so, by:	<b>Note:</b> <b>A Resolution / Power of Attorney, signed by all the Directors / Members / Partners of the Legal Entity must accompany this Offer, authorising the Representative to make this offer.</b>
Mr/Mrs/Ms:	
.....	
In his/her capacity as:	
.....	

**THIS OFFER**

**SIGNED FOR THE TENDERER:**

Name of representative	Signature	Date

**WITNESSED BY:**

Name of witness	Signature	Date

This Offer is in respect of: (Please indicate with an "X" in the appropriate block)

The official documents ..... ☐

The official alternative ..... ☐

Own alternative (only if documentation makes provision therefore) .. ☐

(N.B.: Separate Offer and Acceptance forms are to be completed for the main and for each alternative offer)

**SECURITY OFFERED:**

- (a) The Tenderer accepts that in respect of contracts up to R1 million, a payment reduction\*\* of 5% of the contact value (excluding VAT) will be applicable and will be deducted by the Employer in terms of the applicable conditions of contract
- (b) in respect of contracts above R1 million, the Tenderer offers to provide security as indicated below:
1. cash deposit of 10 % of the Contract Sum (excluding VAT) Yes ☐ No ☐
  2. variable construction guarantee of 10 % of the Contract Sum (excluding VAT) Yes ☐ No ☐
  3. payment reduction of 10% of the value certified in the payment certificate (excluding VAT) Yes ☐ No ☐
  4. cash deposit of 5% of the Contract Sum (excluding VAT) and a payment reduction of 5% of the value certified in the payment certificate (excluding VAT) Yes ☐ No ☐
  5. fixed construction guarantee of 5% of the Contract Sum (excluding VAT) and a payment reduction of 5% of the value certified in the payment certificate (excluding VAT) Yes ☐ No ☐

NB. Guarantees submitted must be issued by either an insurance company duly registered in terms of the Short-Term Insurance Act, 1998 (Act 35 of 1998) or by a bank duly registered in terms of the Banks Act, 1990 (Act 94 of 1990) on the pro-forma referred to above. No alterations or amendments of the wording of the pro-forma will be accepted.

The Tenderer elects as its *domicilium citandi et executandi* in the Republic of South Africa, where any and all legal notices may be served, as (physical address):

.....  
.....

**Other Contact Details of the Tenderer are:**

Telephone No..... Cellular Phone No. ....

Fax No.....

Postal address.....

Banker.....Branch.....

Registration No. of Tenderer at Department of Labour.....

CIDB Registration Number: .....

**FOR THE BIDDER**

Signature(s).....

Name(s) .....

Capacity .....

Name of the Organisation .....

Address.....

Date.....

**WITNESS**

Name.....

Signature.....

Date: .....

## ACCEPTANCE

By signing this part of this form of offer and acceptance, the Employer identified below accepts the Tenderer's offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the Tenderer's offer shall form an agreement between the Employer and the Tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

### The terms of the contract, are contained in:

- Part 1 Agreement and contract data, (which includes this agreement)
- Part 2 Pricing data
- Part 3 Scope of work.
- Part 4 Site information

and drawings and documents or parts thereof, which may be incorporated by reference into Parts 1 to 4 above.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender schedules as well as any changes to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule.

The Tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the Employer's agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect, if delivered by hand on the day of delivery, or if delivered by courier within two working days after submission by the Employer to the courier services for a door-to-door delivery to the Tenderer, provided that the Employer notifies the Tenderer of the tracking number within 24 hours of such submission. Unless the Tenderer (now Contractor) within seven (7) working days of the date of such submission notifies the Employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

### For the Employer:

Name of signatory	Signature	Date

<b>Name of Organization:</b>	INDEPENDENT DEVELOPMENT TRUST
<b>Address of Organization:</b>	GLENWOOD OFFICE PARK, CNR OBERON & SPRITE STREET, FAERIE GLEN, 0043

### WITNESSED BY:

Name of witness	Signature	Date

### Schedule of Deviations

<b>(a) Subject:</b>
<b>Detail:</b>
<b>(b) Subject:</b>
<b>Detail:</b>
<b>(c) Subject:</b>
<b>Detail:</b>
<b>(d) Subject:</b>
<b>Detail:</b>
<b>(e) Subject:</b>
<b>Detail:</b>

By the duly authorised representatives signing this agreement, the Employer and the Tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the tender schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the Tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.