



REQUEST FOR QUOTATION

Terms of Reference

**APPOINTMENT OF A SERVICE PROVIDER TO
CONDUCT SURVEY AND ASSESSMENTS OF
CULTURAL HERITAGE RESOURCES IN THE AGULHAS
AND WEST COAST NATIONAL PARKS**

RFQ NO

RFQ-059a-22

REQUEST FOR QUOTATION

You are hereby invited to submit a price quotation for:
APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT SURVEY AND ASSESSMENTS OF CULTURAL HERITAGE RESOURCES IN THE AGULHAS AND WEST COAST NATIONAL PARKS

RFQ NUMBER:	RFQ-059a-22
ADVERTISEMENT DATE:	14 November 2022
CLOSING DATE:	28 November 2022
CLOSING TIME:	12:00
BID DOCUMENT DELIVERY ADDRESS:	scmquotations@sanparks.org (Please note that any submissions made to any other email other than the designated email will not be accepted)
BID VALIDITY PERIOD:	90 days (commencing from the RFQ Closing Date)
TECHNICAL RELATED QUERIES	Thabo Kgomommu
SCM RELATED QUERIES	Mpho Masia

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

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

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

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

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

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN NATIONAL PARKS					
BID NUMBER:	RFQ-059a-22	CLOSING DATE:	28 November 2022	CLOSING TIME:	12:00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT SURVEY AND ASSESSMENTS OF CULTURAL HERITAGE RESOURCES IN THE AGULHAS AND WEST COAST NATIONAL PARKS				
BID RESPONSE DOCUMENTS MUST BE SENT TO THE DESIGNATED EMAIL ADDRESS					
scmquotations@sanparks.org					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mpho Masia		CONTACT PERSON	Thabo Kgomommu	
TELEPHONE NUMBER	012 426 5083		TELEPHONE NUMBER	012 426 5358	
E-MAIL ADDRESS	Mpho.masia@sanparks.org		E-MAIL ADDRESS	Thabo.kgomommu@sanparks.org	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B TERMS AND CONDITIONS FOR BIDDING

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

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....

1. PURPOSE

The purpose of this request is to appoint a suitable service provider to conduct survey, assessments and development of park specific heritage management plans for the Agulhas and West Coast national parks.

2. BACKGROUND

The Mission of SANParks is to develop, expand, manage and promote a system of sustainable national parks that represents biodiversity and heritage assets, through innovation and best practice for the just and equitable benefit of current and future generations. SANParks has been working on mainstreaming cultural heritage in its planning processes in order to achieve a functional balance in the management of both the cultural and natural heritage.

In line with the National Environmental Management: Protected Areas Act No. 57 of 2003 and the National Heritage Resources Act No.25 of 1999, and also guided by the Department of Forestry, Fisheries and the Environment's Cultural Heritage Survey and Assessments Guidelines, SANParks seeks to conduct surveys and assessment of cultural heritage in the Agulhas and West Coast national parks in order to have an integrated landscape management that emphasises both natural and cultural attributes.

SANParks derives its mandate mainly from the legislation and frameworks applicable to the public sector. These are as follow:

- The Constitution of the Republic of South Africa (1996);
- The Public Finance Management Act (PFMA) (1999);
- The National Treasury Regulations (2005);
- The National Environmental Management Protected Areas Act (NEMPAA);
- SANParks Policies and Frameworks; and
- The National Heritage Resources Act (1999)

3. SCOPE OF WORK

The project scope is limited to the Agulhas and West Coast national parks. Services required involve the auditing of existing databases and confirmation of listed heritage resources, identification of new heritage resources through desktop research and ground truthing (archaeological surveys), GIS mapping and or confirmation of GIS Coordinates and documentation of identified heritage resources, assessment of condition of identified heritage resources, assessment of cultural heritage significance of identified heritage resources (include suggested preliminary NHRA grading), assessment of tourism potential of identified heritage resources, recommendations for formal protection of qualifying heritage resources, development of park specific cultural heritage management plans (Including separate Collection Management Plan where survey results may point to necessity).

3.1 Objectives

The objectives of the project are:

- To develop a comprehensive database of cultural heritage resources through the survey and assessment of Agulhas and West Coast national parks,
- To establish the state of conservation of cultural heritage resources through condition assessments,
- To determine the tourism potential of identified cultural heritage resources through assessment of significance,
- To assign proposed grading to each identified cultural heritage resource using the NHRA grading system,
- To develop park specific cultural heritage management plans

3.2. Key Activities

3.2.1. Immovable heritage resources and associated intangible heritage

- Auditing of existing databases and confirmation of listed heritage sites,
- Identification of new heritage resources through desktop research, oral history and ground truthing,
- Documentation of identified heritage resources including GIS coordinates,
- Assessment of condition (state of conservation) of identified heritage resources,
- Assessment cultural heritage significance of identified heritage resources,
- Recommend cultural heritage resources with tourism potential,
- Propose cultural significance grading of identified heritage resources,
- Development of park specific cultural heritage management plans,

3.3.2. Movable Heritage Resources/ Collections

- Audit park collections inventories and confirm listed heritage objects,
- Identify gaps in the inventory and update with necessary information,
- Photograph each heritage object
- Evaluate the preservation conditions in all storage and display spaces in each park,
- Assess the heritage value and assign a value rating for each object or groups of objects,
- Develop a collections management plan for heritage objects in each park

MILESTONES, DURATION AND PAYMENT SCHEDULE

Payments for work done will be done in line with the milestones in the table below:

Milestone / Deliverable	% Payment of Total Price (paid on approval)
1. Planning, Desktop study and Inception report	15%
2. Fieldwork and Draft Reports	35%
3. Draft Management Plans	30%
4. Final Reports	20%
Total	100%

PROJECT MANAGEMENT AND REPORTING

The main project contact person will be the General Manager for Cultural Heritage based at the SANParks Head office. Contact persons will be allocated to assist from the park level for both Agulhas and West Coast national parks. Reporting schedules and progress meetings will be discussed and agreed with the successful bidder. All reports to be submitted to the General Manager for Cultural Heritage.

4. EVALUATION PHASES OF THE RECEIVED PROPOSALS

PHASE 1: MINIMUM REQUIREMENTS: COMPLIANCE RESPONSIVENESS CRITERIA

In this phase all proposals received will be verified for compliance and completeness of the submitted proposal per the set of minimum requirements as listed under paragraph 4.1. Service Providers who comply with the listed requirements progresses to the next phase of pre-qualifying criteria.

*NB: Only bidders who fully comply with minimum requirements progress to the next **Phase** (2).*

PHASE 2: MANDATORY EVALUATION CRITERIA

Only those proposals that fully comply with minimum compliance requirements in Phase 1, will now be evaluated in terms of the mandatory evaluation criteria, expertise, and experience as listed under paragraph 4.2

NB: Only bidders who fully comply with the mandatory requirements will progress to the Functionality Evaluation

PHASE 3: FUNCTIONALITY EVALUATION

In this phase all proposals received will be evaluated in using the functionality evaluation as listed under paragraph 4.3. Service Providers who comply with the listed requirements progresses to the next stage of price and preference.

*NB: Only bidders who fully comply with minimum requirements progress to the next **Phase** (4)*

PHASE 4: PRICE AND PREFERENCE (B-BBEE)

Price	80
B-BBEE	20
TOTAL POINTS FOR PRICE AND B-BBEE	100

4.1 COMPLIANCE AND GOVERNANCE VERIFICATION DOCUMENTS (Standard Bidding Documents)

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

- Submission of fully completed SBD1 (Invitation to Bid),
- Submission of a quotation on the company letterhead,
- Submission of fully completed SBD 3.3 (Professional Services),
- Submission of fully completed SBD 4 (Bidder's disclosure),
- Submission of fully completed SBD 6.1 (Preference Claim Certificate), accompanied by the original or certified B-BBEE Status Level Verification Certificate or original B-BBEE Sworn Affidavit,
- Submission of fully completed SBD7.2 (Contract Form),

4.2 MANDATORY REQUIREMENTS

A service provider will be disqualified if they do not fully comply with the mandatory requirement,

Proof of qualification, Degree in heritage related fields such as History, Archaeology, Built Environment and other related social sciences of the core team member	Comply	Not Comply
Substantiate/comment/evidence: Provide proof of qualification		

4.3 FUNCTIONALITY EVALUATION

In this phase, Bidders are not eligible for the Price and Preference scoring stage where they score less than the minimum threshold prescribed for functionality of **75%**, Bidders are not eligible for the Price and Preference scoring stage where they score less than the minimum threshold prescribed for functionality. The minimum threshold that bidders need to score is 75%. Bidders who score 75% or more will qualify to be evaluated for Preference points and Price.

The evaluation will be based on the following:

4 equals 100: Exceeds the requirements

3 equals 75: meet the minimum requirements

2 equals 50 points: partially meet the requirements

1 equals 25 points: does not satisfactorily meet the requirements

No	Functionality Criteria	Weighting	Points	Points Allocation
1	A company profile, the mission and values of your organisation, proven track record and details of experience in conducting survey.	25	1 - 4	4 = The company profile exceeds understanding of the requirements 3 = The company profile is clear and relevant and is demonstrating bidders understanding of the requirements 2 = The company profile provided demonstrate average understanding of the requirements 1 = The company profile provided lacks context of the requirement

No	Functionality Criteria	Weighting	Points	Points Allocation
2	Evaluation of references received. The reference letter should have information on the appointment and scope of work and relate to conduct survey, assessments, and development of cultural heritage management plans.	25	1 - 4	<p>4 = References provided exceed the requirements. 4 or more relevant reference letters provided.</p> <p>3 = References provided demonstrate the ability of the bidder and complies with required experience. 3 (Three) relevant reference letters provided.</p> <p>2 = References demonstrate average experience. 2 (Two) relevant reference letters provided.</p> <p>1 = Reference/s demonstrate poor experience. No relevant reference letters provided.</p>
3	Detailed CV's experience of core team members in survey and assessment of cultural heritage, and development of cultural heritage management plans.	50	1- 4	<p>4= Provided CV's of the core teams' experience exceed the requirements</p> <p>3 = Provided CV's of the core teams' experience demonstrate ability of the bidder and complies with the requirements</p> <p>2 = Provided CV's of the core teams' experience demonstrate average experience</p> <p>1 = Provided CV's of the core teams' experience demonstrate poor experience</p>

5. CENTRAL SUPPLIER DATABASE INFORMATION

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

6. PRICING

APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT SURVEY AND ASSESSMENTS OF CULTURAL HERITAGE RESOURCES IN THE AGULHAS AND WEST COAST NATIONAL PARKS			
NO	DESCRIPTION	PRICE	
1	Project Fees		
		TOTAL	
		VAT @15%	
		GRAND TOTAL	

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

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

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

8. TIMELINES

Upon appointment the recommended supplier is expected to confirm if they can deliver as per the terms of reference on the RFQ, failure to deliver SANParks reserve the right to cancel the Purchase Order.

9. FINANCIAL PAYMENT

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

10. FINAL AWARD

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

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

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

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

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

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

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

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

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

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

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

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

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

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

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

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 5, 2000

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

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

1.2

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

1.3 Points for this bid shall be awarded for:

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

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

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

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

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

2. DEFINITIONS

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

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

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

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

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

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

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

- 4.1 In terms of Paragraph 2 (1) of the Preferential Procurement Policy Framework Act, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

5. BID DECLARATION

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

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

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

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

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 If Yes, indicate:

i) What percentage of the contract will be subcontracted.....%

ii) The name of the sub-contractor.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE:

(Tick applicable box)

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT Registration Number:.....

8.3 Company Registration Number:.....

8.4 TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium

☐ One person business/sole propriety

☐ Close corporation

☐ Company

☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 4.1 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

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

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

CONTRACT FORM - RENDERING OF SERVICES

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

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

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

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

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

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

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

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

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2

DATE:

CONTRACT FORM - RENDERING OF SERVICES
PART 2 (TO BE FILLED IN BY THE PURCHASER)

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

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

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DATE: