



BID SPECIFICATION

INVITATION FOR BIDS

APPOINTMENT OF A PANEL FOR MAJOR BUILDING CONSTRUCTION, RENOVATION AND MAINTENANCE FOR A PERIOD OF THREE YEARS

BID NUMBER:	MTPA/20222023/PMU/01	
NAME OF THE BIDDER		
TENDER LEVY	R200.00	
TOTAL BID AMOUNT	R	
BID REQUIREMENT	ONLY BIDDERS WITH A CIDB GRADE 5GB/CE AND ABOVE WILL BE CONSIDERED	
CLOSING DATE:		
CLOSING TIME:	11h00 AM	
BID DOCUMENT DELIVERY ADDRESS:	SUPPLY CHAIN MANAGEMENT UNIT PROCUREMENT OFFICE HALLS' GATEWAY, MATAFFIN MTPA FINANCE BLOCK E MBOMBELA, 1200	
BID VALIDITY PERIOD:	90 DAYS (COMMENCING FROM THE ADVERT CLOSING DATE)	
TECHNICAL	RELATED	Tekani.Shilenge@mtpa.co.za

QUERIES	013 759 5328
SCM RELATED QUERIES	<u>Evans.Ngwenya@mtpa.co.za</u> 013 759 5300
DESCRIPTION OF THE BID	APPOINTMENT OF A PANEL FOR MAJOR BUILDING CONSTRUCTION, RENOVATIONS AND MAINTENANCE FOR A PERIOD OF THREE YEARS

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.

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

***NB:* No proposal shall be accepted by MTPA 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 MPUMALANGA TOURISM AND PARKS AGENCY					
BID NUMBER:	MTPA/20222023/PMU/01	CLOSING DATE:	/07/2022	CLOSING TIME:	11H00 AM
DESCRIPTION	APPOINTMENT OF A PANEL FOR MAJOR BUILDING CONSTRUCTION, RENOVATION AND MAINTENANCE FOR A PERIOD OF THREE YEARS				
BID RESPONSE DOCUMENTS MUST BE SENT TO THE DESIGNATED EMAIL ADDRESS					
SUPPLY CHAIN MANAGEMENT UNIT, PROCUREMENT OFFICE HALLS' GATEWAY, MATAFFIN MTPA FINANCE BLOCK E, MBOMBELA, 1200					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mr Evans Ngwenya		CONTACT PERSON	Mr Tekani Shilenge	
TELEPHONE NUMBER	013 759 5300		TELEPHONE NUMBER	013 759 5300	
E-MAIL ADDRESS	<u>Evans.Ngwenya@mtpa.co.za</u>		E-MAIL ADDRESS	<u>Tekani.Shilenge@mtpa.co.za</u>	
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:		O R	CENTRAL SUPPLIER DATABAS E 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 PREFERENTIAL PROCUREMENT REGULATIONS, 2017, 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."

APPOINTMENT OF A PANEL FOR MAJOR BUILDING CONSTRUCTION. RENOVATION AND MAINTENANCE FOR A PERIOD OF THREE YEARS

1. PURPOSE

To render the major general building construction works, renovation and maintenance on all MTPA Facilities in the Mpumalanga Province for a period of Three (3) Years.

2. SPECIAL CONDITIONS

Where any clauses and/or items contained in this section are in contradiction to the General Conditions of Contract (GCC) or any other item contained in Part One, this section shall apply.

Type of contract

Term contract for a period of 3 years

Contract period

This contract shall be for the General Building Construction Works, Renovation and Maintenance at all MTPA Facilities as stated in the heading with all functions as detailed in this specification for a period of three years. The acceptance period of the Bid shall be within 120 (one two zero) days after closing of Bid. Commencement of this Contract shall be within one calendar month of acceptance of the Bid.

3. EVALUATION CRITERIA FOR MAINTENANCE

Note: 80/20 preference point system will be used.

(ONLY BIDDERS WITH A CIDB GRADE OF 5GB/CE OR ABOVE MUST APPLY)

FUNCTIONALITY	POINTS
<p>Relevant previous experience (Value)</p> <ul style="list-style-type: none">No experience equals to 0 pointsBelow R1 000 000 equals to 5 pointsABOVE R1 000 001 to R2 000 000 equals to 10 pointsAbove R2 000 001 to R5 000 000 equals to 15 pointsAbove R5 000 001 equals to 20 points <p>(Proof of relevant experience must be attached e.g. orders, appointment letters, completion certificates)</p>	20
<p>Company experience in similar projects (Years)</p> <ul style="list-style-type: none">No experience equals 0 points3 years equals 05 pointsAbove 3 year to 5 years equals 10 points	20

FUNCTIONALITY	POINTS
<ul style="list-style-type: none"> • Above 5 years to 7 years equals 15 points • Above 7 years and above equals 20 points <p>(Proof of relevant experience must be attached i.e. works orders, appointment letters, completion certificates, company registration document and or NHBRC registration certificate)</p>	
<p>Key Personnel (Artisans, Engineers or Equipment operators)</p> <ul style="list-style-type: none"> • No personnel equals to 0 points • Three (03) will be equal 10 points • Four (04) will be equal 15 points • Five (05) will be equal 20 points <p>Artisan must be in possession of any relevant qualification (i.e. Carpentry, Plastering, Painting, Bricklaying, Equipment operator certificate)</p> <p>(CV and certified copies of qualifications must be attached)</p>	20
<p>Schedule of Plant and Equipment</p> <p>All applicable plant and equipment equals 20 points (Proof of ownership)</p> <ul style="list-style-type: none"> • No relevant equipment equals 0 points • One applicable equipment equals 10 points • Any other 2-3 combination equals 15 points • Any other 4-5 combination equals 20 points <p>(1) Applicable Plant and Equipment: 1 ton truck/ delivery vehicle, Scaffolding and Frame ladders and Protective & Safety Equipment. (2) Other equipment = Compactor and Concrete mixer.</p> <p>All applicable plant and equipment equals 15 points (In case of Hire)</p> <ul style="list-style-type: none"> • No relevant equipment equals 0 points • One applicable equipment equals 05 points • Any other 2-3 combination equals 10 points • Any other 4-5 combination equals 15 points <p>(In case of hire proof must be attached)</p>	20
<p>Proof of Residence</p> <ul style="list-style-type: none"> • Within Mpumalanga Province will be 10 points • Outside the province of Mpumalanga 5 points • If proof is not attached 0 points. 	10

QUALIFICATIONS AND EXPERIENCE OF PROPOSED SITE SUPERVISION TEAM FOR THE PROJECT

Bidder to provide name(s), key qualifications and experience of site supervision team that will supervise the project on behalf of the Contractor.

PARTICULARS OF COMMITMENTS WHICH THE BIDDER HAS PREVIOUSLY COMPLETED AND PRESENTLY ENGAGED WITH:

Current projects:

Project	Place (town)	Reference / Contact person	Contact Tel. No.	Contract amount	Contract period	Date of commencement	Scheduled date of completion
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							

PREVIOUS PROJECTS:

Project		Place (town)	Reference / Contact person	Contact Tel. No.	Contract amount	Contract period	Date of comm ence ment	Sched uled date	Actual date of completion
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									



A maximum equal to 80 points will be awarded for Financial Offer/Price. A maximum equal to **20 tender evaluation points will be awarded** based on B-BBEE Status Level of Contributor.

B-BBEE Status Level of Contributor	Number of Points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non – compliant contributor	0

PRICING PROPOSAL AND SPECIFIC CONTRACT DETAILS.

1. Bids must be submitted in South African Rand, Fixed price and inclusive of VAT excluding disbursement and travelling.
2. Bidder must provide a detailed pricing scheduled indicating each activity's unit price and duration thereof.
3. MTPA reserves the right to negotiate price with the preferred bidder.
4. Bidders must provide details of all evaluation criteria information so that the Agency can properly evaluate and assess capacity to complete this task.
5. **ONLY BIDDERS WITH A CIDB GRADE OF 5GB/CE OR ABOVE MUST APPLY**
6. MTPA is not bound to accept any of the proposals submitted and reserve the right to call for best and final offers from short-listed bidders before final selection.
7. MTPA reserves the right to call for interviews with short-listed bidder before final selection.
8. Only bids that were submitted with a valid Tax Clearance certificate from SARS will be considered.
9. The lowest or any bid will not be accepted and the Agency reserves the right to accept the whole or part of any bid.
10. Bidders who score less than the 70 points of the 100 points on functionality will be disqualified.
11. Copy right of the document remain the product of the Agency.
12. The service provider will have to provide own admin support staff with their qualifications and experience attached.
13. No alternative offers are permissible
14. Service level agreement will be entered into by the successful Bidder and the Agency within 21 days of award
15. Unit prices / lump sums should be inclusive of resources and materials required under the item.

4. SCOPE OF WORK AND PRICING PROPOSAL ON RENOVATIONS AND MAINTENANCE

SERVICE	BUILDING	PRICING DESCRIPTION	PRICE VAT INCLUSIVE
Inspect as and when requested for a specified facility for defects, quantify them and give a full report on all the identified defects, and upon approval, repair :	ALL	Labour Rates/Hr)	
Maintain and repair doors (wooden and steel) and locks. Including damaged steel, wooden or aluminium door-frames and windows. (Repair door hinges, Repair ironmongery and locks, windows, Repair / repaint finishes) NB and not limited to.	ALL	Labour Rates/ HR	
Maintain and repair carpentry items i.e. shelving, wall mounted cabinets, e.t.c	ALL	Labour rate per square metre	
Maintain, repair and paint wall finishes.(For in Internal and external painting, preparation and finishes. Painting to include for two coats (including main coat)	ALL	Labour cost per square metre	
Maintain, repair and paint wooden decks	ALL	Labour cost per square metre	
Maintain, repair and paint wooden hand rails	ALL	Labour cost per metre	
Maintain, repair and paint handrails in stair cases	ALL	Labour cost per metre	
Maintain and repair damaged glass doors and windows.	ALL	Labour cost/ m ²	
Maintain and repair damaged gutters.	ALL	Labour Cost/m ²	
Maintain and repair damaged roofs.	ALL	Labour Cost/m ²	
Maintain and repair damaged manholes	ALL	Labour Cost/m ²	
Rates for plastering, preparation and finish per m ² . Plaster to include for two coats, 1 st the skim coat	ALL	Labour Cost/m ²	



and 2 nd the finishing coat. Final thickness between 10mm and 15mm.			
Rates for painting of skirting boards, door frames, doors and window frames, preparation and finish per m ² . Painting to include for one undercoat and two coats of paint.	ALL	Labour Cost/m ²	
Rates for tiling and floor covering per square metre	ALL	Labour Cost/m ²	
Rates for Thatching covering per square metre	All	Labour Cost/m ²	
Supply of Thatch per square metre	ALL	Labour Cost/m ²	
Rates for pavement per square metre	ALL	Labour Cost/m ²	
Rate per Km less than 3T	1000 KM	R	
Rate per Km more than 3T	1000 KM	R	
TOTAL PRICE 1/2		R	
Cost of spares / material required to construct or repair damaged items will be quoted on proven cost from specialists of materials and services / social enterprise model suppliers with a maximum mark-up of 25% allowed.	Maintenance	On proven quote as stated above	25%

ITEM	DESCRIPTION	AMOUNT (RAND)
1.	Standby rate in Rands per hour.	
2.	Call out rate in Rands per hour.	
3.	Overtime in Rands per hour.	
4.	Call out on Public Holidays / Sunday in Rands per hour.	
	TOTAL PRICE 2/2	R



4.1.1. SCOPE OF WORK, EVALUATION CRITERIA AND PRICING PROPOSAL ON NEW MAJOR BUILDINGS AND UPGRADE WORKS

SERVICE	BUILDING	ESTIMATED PRICING FOR EVALUATION PURPOSES	PRICE IN PERCENTAGE VAT INCLUSIVE(%)	TOTAL PRICE ON NEW CONSTRUCTION
Cost of spares / material required to construct or repair damaged items will be quoted on proven cost from specialists of materials and services / social enterprise model suppliers with a maximum mark-up of 25% allowed.	On New Building	R5 000 000	%	R
Cost of labour on new buildings or upgrades will be considered at a maximum 11% inclusive of VAT excluding mark-up fee for material and other related services	On New Building	R5 000 000	%	R
TOTAL BID PRICE ON CONTRUCTION OF NEW BUILDING				R

5. COMPULSORY RETURNABLE SCHEDULES (CERTIFIED COPIES/ORIGINALS OF THE FOLLOWING DOCUMENTS)

1. Service providers must be registered on Central Supplier Database.
2. Duly signed bid documents including all the attached SBD forms.
3. Compulsory Enterprise Questionnaire
4. Certificate of authority
5. Record of Addenda to Tender Documents (where applicable)
6. Legal Joint Venture Agreement (in case of a JV)
7. Identity documents of Owners / Directors / Members / Shareholders
8. Contractor Registration for Incorporation or of Company
9. Registration Document
10. Shareholders' Agreements / Share Certificates / Memorandum of Association for Companies.
11. A valid Tax Clearance Certificate including the PIN issued by the South African Revenue Services



12. Valid Letter of Good Standing from the Agency of Labour or Proof of Compensation for Occupational Injuries and Diseases Act, 1963 (No. 130 of 1993) (Letter for Tender purposes will not be accepted)
13. Complete SBD 1, SBD 4, SBD 6.1, SBD 6.2, and GCC
14. Valid CIDB Registration certificate
15. Signed Terms of Reference. (Initial each page)

Other documents required only for Bid evaluation purposes

- Proof of relevant experience
- CV and proof of relevant qualifications
- Proof of residence
- Proof of plant and equipment
- Proposed Amendments and Qualifications
- Environmental Management plan, SHEQ, Risk Management plan

7. BID CONDITIONS

This Bid is intended to result in a direct contract between the Mpumalanga Tourism and Parks Agency and the responsive bidder and Supply Chain Management.

ONLY BIDDERS WITH A CIDB GRADE OF 5GB/CE OR ABOVE MUST APPLY

BIDDERS MUST SUBMIT THE FOLLOWING DOCUMENT, FAILURE TO DO SO WILL RESULT TO DISQUALIFICATION

- Duly completed and signed bid document including all the attached SBD forms.
- A valid company tax clearance certificate (or in case of a joint venture, of all partners in the joint venture) must be submitted with the bid documentation.
- Company registration certificate issued by CIPC (CIPRO) and copies of share certificates.
- Bidders who have public sector (i.e. national, provincial or local government) officials as directors / shareholders / partners shall be disqualified if they fail to submit approvals from their executing authorities authorising them to undertake remunerative work outside their employments as public servants.
- In bids where Consortia / Joint Venture are involved, each party must submit copy of a business registration certificate and valid Tax Clearance Certificate.
- Duly signed Joint Venture agreement (In case of JV)
- Bids must be submitted in South African Rand, on fixed all-inclusive price basis
- Including VAT in the event the bidder is a VAT vendor.
- The Agency is not bound to accept any of the bid submitted.
- The Agency reserves the right to call for Best and Final Offers from short-listed bidders before final selection.
- The Agency reserves the right to negotiate price with preferred bidder/s.
- Only bids who have submitted with a valid Tax Clearance issued by SARS will be considered.



- The lowest or any bid will not necessarily be accepted and the Agency reserves the right to accept the whole or part of any bid

8. COMPULSORY BRIEFING SESSION

They will be no briefing

9. SCOPE OF WORK

- This monthly contract value bid will include the following:
- The personnel required to maintain general building items as specified.
- This contract will require the placing of at least seven people on site, Monday to Friday, 07h30 to 16h30.
- These people shall be fully qualified and experienced in the following services:
- Carpentry.
- General building works
- Fixing of doors and locks.
- General painting and treating of wooden finishes.
- Alterations to existing structure.
- Repair and replacement of ceiling and roof members.
- Plastering, painting and tiling
- Fitting of glass to doors and windows.
- These people shall on a daily basis respond to fault reports issued from Project Management Unit and will respond to these items with immediate effect. All faults issued related to glass doors and windows, ironmongery, carpentry, painting and plastering will be for the action of this contract to be resolved at no extra cost except for damaged items which could be repaired at proven cost plus approved mark-up. Labour included in monthly cost.
- The contractor shall be able to submit quotes for additional work required based on the rates in the Bid within 8 hours of receiving the request.
- The bidder shall submit with his bid a detailed management structure.
- The personnel used by the bidder shall be uniformly dressed, clearly identifiable and tagged.
- The Bidder shall operate in full compliance with the OHS ACT i.e. conducting monthly safety meetings and make available the minutes upon request.
- The Bidder shall liaise with the facilities manager in all queries to the Client.
- The Bidder shall provide his own personnel and lockers to render the services listed in this document.
- The Bidder shall attend the Facilities Management meetings as and when required/requested on site with representatives of the various Agency.
- The Bidder shall keep record of all work done by him, signed off fault reports, quotations and payments.
- The Bidder shall keep his offices clean and tidy on site at all times.
- The Bidder Shall Issue certificate of completion per project.
- The Bidder shall Issue all legislated certificates at the completion of each project.
- Quotations for additional items:
- Work on shared buildings will be conducted on quotation basis.



- Items that could be forming part of these quotations would be the following:
- Additional staff should be available for work to be quoted on based on the approval of the Chief Engineer, based on the rates in this document, i.e. Ad hoc painting, plastering, cleaning etc.
- Ad hoc painting of specialized finishes, quotes based on rate per m².
- Ad hoc treating and varnishing of wooden features such as decks and railings, quotes based on rate per m².
- Ad hoc repairing of glass doors and windows, quotes based on rate per m².

10. TECHNICAL SPECIFICATION / TERMS OF REFERENCE (DELIVERABLES)

The conditions of the standard condition of Bid as contained in Annexure F of the CIDB standard Uniformity in Construction Procurement (August 2006) (see 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.

11. OUTPUTS AND TIMEFRAMES

The primary deliverables to be achieved are as follows:

- The service should ensure that all work required is done according to specifications and standards.
- Where there are subcontractors, the service should ensure that there is constant coordination between the third (3) party service provider, the contractor and appointed project manager
- The service provider should ensure that projects are executed within project timelines.
- The contract will be for a period of three years.
- It would be expected of the successful service provider to assume duty immediately upon appointment.



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 interest 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



- 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:

.....

.....

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.

- 2.3 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 consortium¹ 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.
- 3.5 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.
- 3.6 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.
- 3.7 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.

¹ 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.



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 REGULATIONS 2017

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

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

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

1.2

- a) The value of this bid is estimated to ~~exceed~~/not exceed R50 000 000 (all applicable taxes included) and therefore the ~~80~~ 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) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- | | | | |
|----|---|----------------------|--------|
| 1) | level certificate issued by an authorized body or person; | B-BBEE | Status |
| 2) | prescribed by the B-BBEE Codes of Good Practice; | A sworn affidavit as | |
| 3) | requirement prescribed in terms of the B-BBEE Act; | Any | other |
- (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 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

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

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

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

5. BID DECLARATION

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

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1



- 6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

7. SUB-CONTRACTING

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

(*Tick applicable box*)

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

- 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	
-----	--	----	--

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

- 8.1 Name of company/firm:.....
- 8.2 VAT registration number:.....
- 8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium



One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

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

[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-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.

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

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, 2011, 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, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids 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) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp at no cost.

- 1.6 A bid may be disqualified if –

- (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
- (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

- 2.1. **“bid”** includes written price quotations, advertised competitive bids or proposals;
- 2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);
- 2.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;



- 2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).
- 2.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour or intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
3. **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>
_____	_____ %
_____	_____ %
_____	_____ %

4. Does any portion of the services, works or goods offered have any imported content?

(Tick applicable box)

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

- 4.1 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 at 12:00 on the date of advertisement of the bid.

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?

(Tick applicable box)

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

- 5.1. If yes, provide the following particulars:

- (a) Full name of auditor:
- (b) Practice number:
- (c) Telephone and cell number:
- (d) Email address:

(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)

6. 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:

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.thdti.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
- (ii) the declaration templates have been audited and certified to be correct.

(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 4.1 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 4.1 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 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____



12. FINANCIAL IMPLICATIONS

The bid is a term contract aimed at providing administration support in the MTPA as per the budget allocated for a period of 3 years.

13. LEGAL IMPLICATIONS

The appointed service provider/s will be subject to signing of a contract for a period of three years.

14. CONCLUSION

It is therefore recommended that the Bid specification/ Terms of reference is approved for advertisement.

