

CentralEast Cluster Supplier Development Localisation & Industrialisation (SDL&I) KZN Catering Contract - Clarification Meeting

Derna Edmund

17 May 2024



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

NO PREQUALIFICATION CRITERIA:

This enquiry is open to EME, QSE and LME Service Providers

REQUIREMENT

All Tenderers must submit proof of their BBBEE Status based on the turnover on their Financial Statements (this is to verify that you are submitting the correct sworn affidavit)

- EME - Valid copy of Sworn Affidavit or valid copy of BBBEE Certificate issued by CIPC
- QSE - Valid copy of Sworn Affidavit/ Valid copy of BBBEE Certificate issued by a SANAS accredited verification agency
- LME - Valid copy of BBBEE Certificate issued by a SANAS accredited verification agency
- Joint Ventures - Valid copy of BBBEE Certificate (**in the name of the Joint Venture**) issued by a SANAS accredited verification agency

Tenderers submitting B-BBEE Sworn Affidavits must ensure that the affidavits meet the following key pointers to ensure their validity:

- a) Name/s of deponent as they appear in the identity document and the identity number.
- b) Designation of the deponent as the director, owner or member must be indicated in order to know that person is duly authorized to depose of an affidavit. **(Underline or circle whichever is applicable).**
- c) Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- d) Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected. **(No blank spaces to be left).**
- e) Indicate total revenue for the year under review and whether it is based on audited financial statements or financial statements. **(Underline the applicable option).**
- f) Financial year end as per the enterprise's registration documents, which was used to determine the total revenue. (Financial year end to be stipulated by **day/month/year**).
- g) B-BBEE Status level. An enterprise can only have one status level.
- h) Empowering supplier status must be indicated
- i) Date deponent signed and date of Commissioner of Oath must be the same. **(The sworn Affidavit must be signed in the presence of the Commissioner of Oath).**
- j) Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest
- K) Sworn Affidavits attested / signed by a Commissioner of Oaths as a true copy **stamp** will not be accepted

Example on How to Complete a Sworn Affidavit - page 1

EXAMPLE ON HOW TO COMPLETE A SWORN AFFIDAVIT

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE • GENERAL

I, the undersigned,

Full name & Surname	ROSIE BRIGHTS
Identity number	5107136103034

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member Director Owner (Select one) of the following enterprise and am duly authorised to act on its behalf.

Enterprise Name:	AVS CONTRACTORS (PTY) LTD
Trading Name (if Applicable):	AV CONTRACTORS
Registration Number:	2004/027504/07
Vat Number (if applicable):	
Enterprise Physical Address:	402 KUDU STREET TORN ORCHARD PARK HALFWAY HOUSE, MIDRAND, 1685
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	(PTY) LTD
Nature of Business:	ELECTRICIAN
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 45 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) who are citizens of the Republic of South Africa by birth or descent; or (b) who became citizens of the Republic of South Africa by naturalisation- i. before 27 April 1994; or ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;
Definition of "Black Designated Groups"	"Black Designated Groups means: (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas; (e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011."

READ
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READ
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EXAMPLE ON HOW TO COMPLETE A SWORN AFFIDAVIT

3. I hereby declare under Oath that:

- The Enterprise is 100 % Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013.
- The Enterprise is 51 % Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013.
- The Enterprise is 51 % Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013.
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = 51 %
 - Black Disabled % = 0 %
 - Black Unemployed % = 0 %
 - Black People living in Rural areas % = 0 %
 - Black Military Veterans % = 0 %
- Based on the Audited Financial Statements (Financial Statements) and other information available on the latest financial year-end of 28/02/2021 (DD/MM/YYYY), the annual Total Revenue was R10,000,000.00 (Ten Million Rands) or less.
- Please Confirm on the below table the B-BBEE Level Contributor, by ticking the applicable box.

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	☒
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	☐
Less than 51% Black Owned	Level Four (100% B-BBEE procurement recognition level)	☐

- 4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise which I represent in this matter.
- 5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Please
Commissioner stamp
+ Signature

Commissioner of Oaths
Signature & stamp
Date:

Deponent Signature: R Brights
Date: _____

Check
your
stamp

* Stamp must
not reflect true copy

Must be the same

Example of a BBBEE Certificate for Exempted Micro Enterprises

 the dti Department: Trade and Industry REPUBLIC OF SOUTH AFRICA	 Companies and Intellectual Property Commission a member of the dti group
B-BBEE CERTIFICATE FOR EXEMPTED MICRO ENTERPRISES	
Issued by the Companies & Intellectual Property Commission (CIPC) on behalf of the Department of Trade and Industry. Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end, the annual Total Revenue was R10,000,000.00 (Ten Million Rands) or less. This Certificate serves as an Affidavit in terms of Code Series 000, Section 4.5 of the Amended Codes 2013.	
Tracking Number:  9193240368	Enterprise Number:  K2014009316
B-BBEE LEVEL 4 CONTRIBUTOR: 100% PROCUREMENT RECOGNITION	
B-BBEE INFORMATION	
Certificate Number	9193240368
Total Number of Shareholders	ONE (1) SHAREHOLDER(S)
Number of Black Shareholders	ZERO (0) BLACK SHAREHOLDER(S)
Number of White Shareholders	ONE (1) WHITE SHAREHOLDER(S)
Black Ownership Percentage	0% BLACK OWNERSHIP
Black Female Percentage	0% BLACK FEMALE OWNERSHIP
White Ownership Percentage	100% WHITE OWNERSHIP
B-BBEE Status	B-BBEE LEVEL 4 CONTRIBUTOR: 100% PROCUREMENT RECOGNITION
Date of Issue	12-July-2019
Expiry Date	11-July-2020
• Unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution: 0% • Black people who are youth as defined in the National Youth Commission Act of 1996: 0% • Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act: 0% • Black people living in rural and under developed areas: 0% • Black military veterans who qualify to be called a military veteran in terms of the Military Veterans Act 18 of 2011: 0%	
ENTERPRISE INFORMATION	
Registration number	2014 / 009316 / 07
Enterprise Name	ANTENNA WIRELESS (PTY) LTD
Registration Date	16-January-2014
Enterprise Type	Private Company
Enterprise Status	In Business
Physical Address the dti Campus - Block F 77 Meintjies Street Sunnyside 0001 Postal Address: Companies P O Box 429 Pretoria 0001 Docex: 256 Web: www.cipc.co.za Contact Centre: 086 100 2472(CIPC) Contact Centre (International): +27 12 394 9500 	

Example of a BEE Certificate



Broad Based Black Economic Empowerment Verification Certificate

Issued to

Bryte Insurance Company Limited

Level 1 Contributor

Measured Entity

Company Name Bryte Insurance Company Limited
Registration Number 1965/006764/06
VAT Number 4530103581
Address 15 Marshall Street
Ferreirasdorp
Johannesburg
2000

B-BBEE Status

B-BBEE Status Level	Level 1
Element Points Obtained	EO: 22.92 points; MC: 13.42 points; SD: 18.86 points; ESD: 33.94 points; SED and CE: 8 points; AFS: 8.4 points
Total Points	105.53 / 115 x 109 = 100.02 points
Discounting Principle Applied	No
Measurement Period Year End	31/12/2019
Empowering Supplier	Yes

*Black Owned: >=51% and 8 points for Net Value

Black Voting Rights	24.99%	Black Women Voting Rights	18.74%
Black Economic Interest	24.99%	Black Women Economic Interest	18.74%
51% Black Owned *	No	30% Black Women Owned *	No
Black Designated Groups	24.99%	Normal Flow Through Principle Applied	

Issue Date 17/03/2020
Expiry Date 16/03/2021
Certificate Number ELC9383RGENBBFSC
Version Final
Applicable Scorecard FSC - Generic Short Term Insurers
Applicable BBBEE Codes Amended Financial Services Sector Codes Gazetted on 1 December 2017

EmpowerLogic (Pty) Ltd
Reg. No. : 1995/000523/07

BBBEE Verification Agency



Govender
Per Prebhashini Govender
Member - Verification Committee



SANAS Accredited

BVA018

BEE Procurement Recognition Levels

Level	Qualification	%
1	>= 100 Points	135%
2	>= 95 but < 100	125%
3	>= 90 but < 95	110%
4	>= 75 but < 90	100%
5	>= 70 but < 85	80%
6	>= 60 but < 70	60%
7	>= 55 but < 60	50%
8	>= 40 but < 55	10%
Non Compliant	< 40	0%

Enquiries:
Tel:
086 111 4003
Fax:
086 505 7284
verification@empowerlogic.co.za
www.empowerlogic.co.za

This certificate supersedes any previous certificates issued to the Measured entity. This certificate is the result of an independent and impartial verification of the BBBEE status of the measured entity measured against the Codes of Good Practice on Broad Based Black Economic Empowerment. This certificate has been issued in accordance with the EmpowerLogic Verification Certificate Policy. EmpowerLogic uses the Law Trust advanced electronic signature system (AeSign) which is compliant with the Electronic Communications and Transactions Act no 25 of 2002. The validity of the certificate is ensured as long as the digital signature details corresponds with the Technical Signatory's details as displayed on the certificate.

- Proof of ownership / shareholding (preferably CIPC documentation) inclusive of shareholding breakdown
- ID copies of shareholder(s) or owners of the business
- Proof of Disability of owner of the company (where applicable)

Local Procurement Content	Eskom target	Tenderer Proposal
	100%	

Procurement from Designated Group	Eskom Target	Tenderer Proposal
Black Owned	4.0%	
Black Women Owned	3.0%	
Black Youth Owned	2.0%	
Black Persons with Disability	1.0%	

Jobs to be created	Jobs to be retained

Not applicable for this contract

Name of tenderer:

Tenderer representative:

Representative signature:

Date:

SDL&I Checklist – This check list can be used for guidance on submission of documents

	Documents to complete /sign and submit	Tick Box
1	SDL&I Bidder's Document	
2	Valid B-BBEE certificate issued by a SANAS accredited verification agency / Valid sworn affidavit / BBEE Certificate issued by CIPC for EME companies	
3	CIPC Registration Document	
4	Identity Documents of shareholder(s)	
5	Shares Certificate where applicable	
6	Latest Financial Statements corresponding to the financial date reflected on the sworn affidavit	
7	SBD 6.2	N/a
8	Annexure C	N/a
9	Annexure D	N/a
10	Annexure E	N/a
11	Proof of sub-contracting agreement/s	N/a
12	Sub-contractor/s valid B-BBEE certificate issued by a SANAS accredited verification agency / valid sworn affidavit / BBEE Certificate issued by CIPC for EME companies	N/a



Conclusion