



agriculture

Department:
Agriculture
PROVINCE OF THE EASTERN CAPE

FRAMEWORK AGREEMENT FOR A PANEL OF SERVICE PROVIDERS TO SUPPLY AND DELIVER AGRICULTURAL PRODUCTION INPUTS (AGRICULTURAL LIME, FERTILIZERS AND MICRO- NUTRIENTS)

PREPARED BY:

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DEPARTMENT OF AGRICULTURE

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TERMS OF REFERENCE



agriculture

Department:
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TERMS OF REFERENCE

APPOINTMENT OF A PANEL OF QUALIFIED SERVICE PROVIDERS TO SUPPLY AGRICULTURAL INPUTS: AGRICULTURAL LIME, FERTILIZERS AND MICRO-NUTRIENTS

1. BACKGROUND

- 1.1. As part of revitalisation and commercialisation of agriculture in the province, the Department of Agriculture seeks to support the subsistence and smallholder producer towards productive and competitive provincial agriculture sector;
- 1.2. The Department is mandated to drive rural development, thus grow the rural economies through agriculture by ensuring that all producers and input suppliers continue to lead in local economic development of rural communities.
- 1.3. The Department is implementing Agriculture Economic Transformation Strategy to unlock agriculture potential of the province. The Department is supporting in all six (6) districts inclusive to two (2) metropolitan municipalities according to their natural resource potential.
- 1.4. The strategy of the Department is focussing at increasing household incomes, promoting commercialization of the smallholder farmers, increasing opportunities for skilled and relatively unskilled employment, and to increase food security.
- 1.5. The Department has therefore prioritized the need to assist resource-poor farmers with agricultural inputs in the form of Agricultural lime, fertilizer (Mixtures and Straight Fertilizers) and Micro nutrients;

2. OBJECTIVES

- 2.1. To establish a Panel of suitably qualified Agriculture Input Suppliers to engage in a three-year period (36 months) contract for the supply and delivery of agricultural inputs in the form of Agricultural lime, fertilizer (Mixtures and Straight Fertilizers) and Micro nutrients;
- 2.2. To ensure cost effective, timely and correct supply of agricultural inputs to resource-poor and emerging farmers.
- 2.3. To create sustainable food (crop and livestock) production in poverty-stricken rural communities.
- 2.4. To enable farmers/producers to improving their relationship with local suppliers and potential markets of their produce;

3. SCOPE OF SERVICES

- 3.1. The Department requires a panel of qualified service providers that will supply Agricultural lime, fertilizer (Mixtures and Straight Fertilizers) and Micro nutrients to directly to beneficiaries in all districts of;
- 3.2. Ensure adherence of all inputs required in terms of quality and quantities
- 3.3. Prompt delivery/availability of inputs required in order to avoid missing the timelines related to soil preparation and treatment

- 3.4. All plant material supplied to Department for beneficiaries must be compliant with Fertilizers, Farm Feeds, Seeds and Remedies Act 36 of 1947.
- 3.5. Only certified commodities (Agricultural lime, fertilizer (Mixtures and Straight Fertilizers) and Micro nutrients) shall be accepted. Proof of certification must be provided where applicable when quotations are invited and/or upon delivery.
- 3.6. The specifications of all required Agricultural lime, fertilizer (Mixtures and Straight Fertilizers) and Micro nutrients that will be purchased from suppliers on this panel are indicated in the Table 1-4 below:

Table 1: Specifications for Granular Fertilizers (Mixtures and Straight Fertilizers)

| ITEM | ITEM SPECIFICATION |
|--------------------|----------------------------------------------------------------------|
| Fertilizers | 2:3:2 (30) +0,5% Zn |
| | 2:3:4 (30) +0,5% Zn |
| | 4:3:4 (40) +0,5% Zn |
| | LAN (28%) |
| | Slow release, Bio-Organic Coated Urea, Percentage N 46 (Black Urea) |
| | 3:2:1 (30) + 0,5% Zn |
| | Mono Ammonium Phosphate (MAP) (33) |
| | Ammonium sulphate nitrate - ASN(27) |
| | Ammonium sulphate ((NH ₄) ₂ SO ₄) |
| | Urea(46) granular |
| | Potassium nitrate (KNO ₃) |
| | Potassium chloride (KCl) |
| | Potassium sulphate (K ₂ SO ₄) |
| | Diammonium phosphate (DAP) + 0.5% Zn |
| | Single superphosphate (10.5%) |

Table 2: Specifications for Hydroponic/Tunnel Production Fertilizers

| ITEM | ITEM SPECIFICATION |
|-------------------------------------------------|-------------------------------|
| Hydroponic/Tunnel Production Fertilizers | Magnesium Sulphate |
| | Potassium nitrate |
| | Potassium sulphate |
| | Mono Ammonium Phosphate (MAP) |
| | Calcium nitrate |
| | Microplex |

Table 3: Specifications for Agricultural lime

| ITEM | ITEM SPECIFICATION |
|--------------------------|----------------------------------|
| Agricultural lime | Dolomitic agricultural limestone |
| | Calcitic agricultural limestone |
| | Gypsum |

Table 4: Specifications for Organic Fertilizers

| ITEM | ITEM SPECIFICATION |
|-----------------------------------------|-------------------------------------------------------------|
| Organic Fertilizers or soil ameliorants | Organic compost |
| | Humic Acid |
| | UAN 30% |
| | 3-0-9+Ca+Mg |
| | 5-0-7+Ca+Mg |
| | Bounce Back |
| | Amino Boost |
| | Liquid Compost |
| | Garden logic |
| | Su Amino Boost |
| | Growing Medium similar or equivalent to Large African Dream |
| | Folic acid |
| | Premium fulvic flake |
| | Amino K |
| | Nanocal |
| | Sea Brix |

Please select the commodity and district **(not more than two)** of your interest in the table below:

Table 5: Breakdown of districts and commodities for the items listed above

| # | DISTRICT | COMODITY | Select (Mark with an X) |
|---|------------------------------------------------|------------------------------------------|----------------------------|
| 1 | Alfred Nzo District | Fertilizer | |
| | | Hydroponic/Tunnel Production Fertilizers | |
| | | Agricultural lime | |
| | | Organic Fertilizers or soil ameliorants | |
| 2 | Amathole District including Buffalo City Metro | Fertilizer | |
| | | Hydroponic/Tunnel Production Fertilizers | |
| | | Agricultural lime | |
| | | Organic Fertilizers or soil ameliorants | |
| 3 | Chris Hani District | Fertilizer | |
| | | Hydroponic/Tunnel Production Fertilizers | |
| | | Agricultural lime | |
| | | Organic Fertilizers or soil ameliorants | |
| 4 | Joe Gqabi District | Fertilizer | |
| | | Hydroponic/Tunnel Production Fertilizers | |
| | | Agricultural lime | |
| | | Organic Fertilizers or soil ameliorants | |
| | | Fertilizer | |
| 5 | OR Tambo District | Fertilizer | |
| | | Hydroponic/Tunnel Production Fertilizers | |

| # | DISTRICT | COMODITY | Select (Mark with an X) |
|---|---------------------------------------------------------------|------------------------------------------|----------------------------|
| | | Agricultural lime | |
| | | Organic Fertilizers or soil ameliorants | |
| | | Fertilizer | |
| 6 | Sarah Baartman District including Nelson Mandela Metro | Fertilizer | |
| | | Hydroponic/Tunnel Production Fertilizers | |
| | | Agricultural lime | |
| | | Organic Fertilizers or soil ameliorants | |

4. COMPETENCY OF THE SERVICE PROVIDER

- 4.1. For evaluation processes the department will apply the evaluation criteria as outlined in the Bid Evaluation Criteria of this bid.
- 4.2. The service provider must have an understanding of the agricultural sector with specific reference to the agricultural production inputs and production seasons within the Province.
- 4.3. The potential service provider will have to demonstrate a financial ability, which will not compromise timeous delivery of the required inputs and quantities.
- 4.4. A service provider will be required to submit a company profile that highlights capabilities/ability/experience for the required service and company financial capacity.

6. PROJECT MANAGEMENT

- a. It will be expected from the service provider to commence with the work within two weeks (fourteen (14) days) of appointment. If there is a delay, reasons should be provided and agreed upon by both parties.
- b. The service provider will submit comprehensive delivery schedule for each expected delivery within seven (7) days after receiving a Government Purchase Order
- c. The relevant Departmental Official will confirm quantities per delivery point to the Service provider three (3) days after receipt of a Government Purchase Order.
- d. Relevant official in the department within seven (7) days must approve this comprehensive delivery schedule.

7. TERMS AND CONDITIONS

- a. No late or incomplete responses will be accepted.
- b. Suppliers must ensure that no services are rendered or goods delivered without written confirmation from DRDAR.
- c. Only bidders who are registered on CSD as service providers or capable of being registered prior to the evaluation of submissions are eligible to submit bids. Bidders who are not registered on the CSD are not precluded from submitting bids, however bidders must complete the CSD application online, prior the closing date (www.csd.gov.za is the website). It is the responsibility of bidders to ensure that this requirement is complied with. Kindly note that you need to have a working email address and working cell phone.

- d. Tax compliance status and company directors of bidders will be verified on CSD for all price quotations and bids. Hard copies of Tax Clearance Certificate documents are therefore no longer needed to be attached in the bid.
- e. The awarding of bid will be subject to the Service Provider's express acceptance of the Supply Chain Management general contract conditions;

8. EVALUATION METHODOLOGY

The evaluation of the bids will be done in a two-stage process. Bidders who do not meet the minimum score for functionality shall not be eligible for placement on the framework.

Stage 1 (Administrative compliance and Functionality)

Part A: Administrative Compliance Documents

- The standard bid documentation has been completed comprehensively and correctly and submission by due date.
- The Invitation to Bid (SBD1) must be completed and signed
- Bidder's Disclosure (SBD 4).

Bids that do not comply with the above administrative compliance criteria, and or fail to adhere to the requirements may be disqualified and will not be considered for evaluation on functionality criteria.

Part B: Technical/ Functionality Evaluation (65%) threshold

Technical evaluation, the first stage will be the evaluation of bids on functionality **and during this stage bids that do not meet the minimum threshold of 65 % on the functionality score will be disqualified, and will not be considered for the second stage of evaluation i.e. price and preference points**

Functionality will be by members of the Bid Evaluation Committee in accordance with the below functionality criteria and values in line the 2022 PPPFA Regulations.

Technical Evaluation 100 Points

| NO | EVALUATION MATRIX | DESCRIPTION | SCORE | MEANS OF VERIFICATION |
|----|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Relevant Experience | <i>Bidders to provide previous experience in supply and delivery of Agricultural Input Supplies</i> <i>(5 points per relevant project up to a maximum of 7 projects)</i> | 35 | <ul style="list-style-type: none"> • Support your track record with tangible evidence e.g. Appointment letters, Purchase Orders with contract values. • Traceable Reference letters from authorized / delegated officials where similar work was undertaken. |

| | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2. | Financial Capacity | <p>Total Credit Facility (with financial institution and/or supplier or manufacture of fertilizer) to tune of R1 million and above annually</p> <p>OR</p> <p>Proof of purchase orders / Proof from the supplier/manufacturer/ department to value of R1 million and above annually will enable a bidder to score maximum points of 5 points per contract</p> <p>Between R1 Million - R2 Million = 5 points</p> <p>R2 million – R3 Million = 15 points</p> <p>R3 Million – R4 Million = 20 points</p> <p>R4 Million – R5 Million = 25 points</p> <p>Above R5 million = 30 points</p> | 30 | <p>In case of Credit Facility</p> <ul style="list-style-type: none">Evidence of credit facility with Registered Financial Institution (E.g. Letter for Intent) OrEvidence of access to any legal funding instrument. <p>In case of Orders:</p> <p>For each project provide the following:</p> <ul style="list-style-type: none">Description of service provided.Project cost and durationProof of orders issued for each projectReference letter for each project |
| 3. | Logistics | <p>Documentary proof of access to a supplier/manufacturer agreement and bulk transportation facility</p> <ul style="list-style-type: none">Supplier agreement and Own transport = 20 pointsSupplier agreement and Leased transport = 15 pointsSupplier agreement and no proof of transport = 5 points | 20 | <ul style="list-style-type: none">Signed Supplier/Manufacturer AgreementLetter of commitment from fleet company or Confirmation from transport company or distribution agent.For own transport bidder must supply proof thereof. |
| 4. | Locality | <ul style="list-style-type: none">Operating business within District bidding to supply = 15Operating business within the EC =10Operating business within South Africa = 2 | 15 | <p>Proof of Physical address as stated in the Centralised Supplier Database (CSD)</p> <ul style="list-style-type: none">Municipality Bills,Business Letters,Lease Agreement,Letter from the Municipal Authority, <p>(Not Older than 3 Months)</p> |
| TOTAL | | 100 | | |
| Minimum threshold | | | | |
| Note: Bidders scoring less than 65% of the paper based technical evaluation would not be considered for the next level of the technical evaluation | | | | |

9. PROCUREMENT FROM THE PANEL

10.1 The approach that will be adopted by the department when procuring from the panels will be as follows:

10.1.1 Requirement will be determined per District

10.1.2 Specifications and request for quotation documents will be prepared.

10.1.3 Quotations will then be invited, evaluated according to preferential points system, and awarded accordingly, however,

10.1.3.1 The Department may, for each quotation invited from the panel, identify and define an objective criterion to be applied.

10.1.3.2 The objective criteria mentioned above will allow the department to only consider and award quotations to service providers who comply with these criteria.

10.1.3.3 In exceptional circumstances, the department may award quotations without objective criteria. Exceptional circumstances must therefore be identified, documented and approved by the Accounting Officer.

10.1.4 Purchase Orders will thereafter be issued.

10. APPLICATION PROCESS

Applications must be delivered to any of the following office:

| OFFICE | PHYSICAL ADDRESS |
|-------------------------------|--------------------------------------------------------------------------------------------------------------|
| Amatole Office Bid Box | East London DoA Office, Old BKB Building, 94 Fitzpatrick Road, East London, 5200 |
| Alfred Nzo Bid Box | Office 9, Ex Maluti College of Education MALUTI, 4730 |
| Chris Hani Bid Box | DoA, Block H, Batandwa Ndondo Office Park, Komani, 5319 |
| Joe Gqabi Bid Box | Wing 1 Ground Floor, Themba Kojana Office Park, 79 Somerset Street Aliwal North, 9750 |
| OR Tambo Bid Box | Corner Leeds & Owen Street, Botha Sigcau Building, 3rd Floor, Foyer next to the Lifts at Mthatha, 5099 |
| Sarah Baartman Bid Box | Ground Floor, Mutual Building 64 Govan Mbeki Avenue Port Elizabeth, 6000 |

DELIVERY DETAILS

Delivery Address: **As per table 3 above**

Contact Person: **Dr MM Mbangcolo**

Contact numbers: **043 683 5457 / 079 528 4347**

NON-COMPULSORY BRIEFING SESSIONS WILL BE HELD AS FOLLOWS:

A non-compulsory clarification meeting will be held on the following dates in various District.

22 April 2025 Amathole District Office

BKB Building, Corner Fitzpatrick Road and Panmure Place, East London.

23 April 2025 Sarah Baartman District Office

Ground Floor Mutual Building 64 Govan Mbeki Avenue

Port Elizabeth

24 April Chris Hani District Office

Block H Bathandwa Ndondo Office Park, Komani

25 April Joe Gqabi District Office

Somerset Street, Themba Kojana Building, Ground Floor, Aliwal North, 9750

29 April Alfred Nzo District Office

Ground Floor Maluti College, 206 Magistrate Street, Maluti

5 May OR Tambo District Office

4th Floor, Office 17 Botha Sigcau Building, Mthatha

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)

| | | | | | |
|--------------------|----------------|----------------------|-------------|----------------------|-------|
| BID NUMBER: | FAN-24/25-0002 | CLOSING DATE: | 14 MAY 2025 | CLOSING TIME: | 11:00 |
|--------------------|----------------|----------------------|-------------|----------------------|-------|

DESCRIPTION

FRAMEWORK AGREEMENT FOR A PANEL OF SERVICE PROVIDERS TO SUPPLY AND DELIVER AGRICULTURAL PRODUCTION INPUTS (AGRICULTURAL LIME, FERTILIZERS AND MICRO-NUTRIENTS)

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO

TECHNICAL ENQUIRIES MAY BE DIRECTED TO:

CONTACT PERSON

CONTACT PERSON

TELEPHONE NUMBER

TELEPHONE NUMBER

FACSIMILE NUMBER

FACSIMILE NUMBER

E-MAIL ADDRESS

E-MAIL ADDRESS

SUPPLIER INFORMATION

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER

CODE

NUMBER

CELLPHONE NUMBER

FACSIMILE NUMBER

CODE

NUMBER

E-MAIL ADDRESS

VAT REGISTRATION NUMBER

SUPPLIER COMPLIANCE STATUS

TAX
COMPLIANCE
SYSTEM PIN:

OR

CENTRAL
SUPPLIER
DATABASE
No:

MAAA

ARE YOU THE
ACCREDITED
REPRESENTATIVE
IN SOUTH AFRICA
FOR THE GOODS
/SERVICES
OFFERED?

☐ Yes

☐ No

[IF YES ENCLOSE PROOF]

ARE YOU A FOREIGN
BASED
SUPPLIER FOR
THE GOODS
/SERVICES
OFFERED?

☐ Yes

☐ No

[IF YES, ANSWER THE
QUESTIONNAIRE BELOW]

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?

☐ YES ☐ NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA?

☐ YES ☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES ☐ 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, 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:

.....

POPI - CONSENT FORM

| | |
|----------------------------------------------|--|
| Contractor/Service Provider/Supplier: | |
| Bid/Quotation No.: | |
| Project Description: | |
| Duration of Contract: | |
| Contract Value: | |

CONSENT TO PROCESS PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT, NO. 4 OF 2013 (POPIA)

The purpose of the POPIA is to protect personal information of individuals and businesses and to give effect to their right of privacy as provided for in the Constitution. By signing this form, you consent to your personal information to be processed by the Department of Rural Development and Agrarian Reform (DRDAR) and consent is effective immediately and will remain effective until such consent is withdrawn.

- I a natural person "herein referred to as the Data Subject" with ID No..... hereby give my consent to the DRDAR "herein referred to as the Responsible Party" to collect, process and distribute my personal information where DRDAR is legally required to do so.
- I understand my right to privacy and the right to have my personal information processed in accordance with the conditions for the lawful processing of personal information.
- I understand the purposes for which my personal information is required and for which it will be used and consent to third parties accessing my personal information and to DRDAR sharing my personal information strictly for reporting purposes.
- I understand that, should I refuse to provide DRDAR with the required consent and/ or information, the DRDAR will be unable to assist me.
- I declare that all my personal information supplied to DRDAR is accurate, up to date, not misleading and that it is complete in all respects and will be held and/ or stored securely for the purpose for which it was collected and that I will immediately advise DRDAR of any changes to my Personal Information should any of these details change.
- I also understand that I have the right to request that my personal information be corrected or deleted, if it is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully or that the personal information or record

be destroyed or deleted if the responsible party is no longer authorized to retain it.

Signed at..... On this day of20...

.....

Signature of data subject/ designated person

.....

.....

.....

Name & Surname/Departmental Responsible Party

Signature

Date

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.
- 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.

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.

- 3.5 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 REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

| | POINTS |
|-------------------------------------------|--------|
| PRICE | 80 |
| SPECIFIC GOALS | 20 |
| Total points for Price and SPECIFIC GOALS | 100 |

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 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 tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

80/20

or

90/10

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

or

$$P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

- P_s

=

Points scored for price of tender under consideration
- P_t

=

Price of tender under consideration
- P_{max}

=

Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

| The specific goals allocated points in terms of this tender | Documentation to be submitted by bidders to validate their claim for points | Number of points allocated (90/10 system) (To be completed by the organ of state) | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (90/10 system) (To be completed by the tenderer) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Price evaluation | | N/A | 80 | N/A | |
| Price or quotation offer under consideration | | | | | |
| Total for Price | | N/A | 80 | N/A | |
| Specific Goals | | N/A | 20 | N/A | |
| EME OR QSE which is atleast 51& owned by Black people | ID Copy CIPC (Company registration)' CSD report (the ownership status of the 2 documents must correspond in order to be awarded points) | N/A | 10 | N/A | |
| Promotion of enterprises located in the municipal area or District municipality metro | Municipal rates account OR Letter from councilor confirming residence OR Lease Agreement | N/A | 2 | N/A | |
| EME OR QSE which atleast 51& owned by Woman | ID Copy CIPC (Company registration)' CSD report (the ownership status of the 2 documents | N/A | 4 | N/A | |

| | | | | | |
|--------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|-----|--|
| | must correspond in order to be awarded points) | | | | |
| EME or QSE which is atleast 51% owned by Youth (up to 35 years of age) | CIPC (Company registration)' CSD report (the ownership status of the 2 documents must correspond in order to be awarded points) | N/A | 2 | N/A | |
| EME or QSE which at least 51% owned by people with Disability | ID Copy CIPC (Company registration) CSD report (the ownership status of the 2 documents must correspond in order to be awarded points) Medical certificate SASSA registration or confirmation of disability from a relevant authority. | N/A | 2 | N/A | |
| TOTAL POINTS | | | 100 | | |

DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.3. Name of company/firm.....
- 4.4. Company registration number:
- 4.5. TYPE OF COMPANY/ FIRM
- ☐ Partnership/Joint Venture / Consortium
 - ☐ One-person business/sole propriety
 - ☐ Close corporation
 - ☐ Public Company
 - ☐ Personal Liability Company
 - ☐ (Pty) Limited
 - ☐ Non-Profit Company
 - ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

BID DISQUALIFYING FACTORS

1. All EOI documents received shall be evaluated based on the evaluation criteria.
2. **Correctness of information:**
 - 3.1 All information required in the bid document must be accurate and duly completed including all the appropriate signatures.
 - 3.2 Use of correction fluid is prohibited.
 - 3.3 Any alterations must be initialled.
 - 3.4 Under no circumstances may bid forms be retyped or redrafted.
3. **Compulsory administrative compliance requirements that must be submitted with the bid:**
 - 4.1 Thoroughly completed bidding forms (SBD 1 & SBD 4)
 - 4.3 Central Suppliers Database registration number.
 - 4.3 Completed Pricing Schedule;
 - In the event of a consortia/joint ventures, a signed agreement by all parties.

**NB. The Department reserves the right to verify all information submitted.
Non-compliance with the above shall result in elimination from further processes.**

5. **To enable scoring on functionality, the following must be submitted:**
 - 5.1 *Support your track record with tangible evidence e.g. Appointment letters, Purchase Orders with contract values and / or Traceable Reference letters from authorized / delegated officials where similar work was undertaken.;*
 - 5.2 Documentary proof of credit facility with manufacturer and/or Registered Financial Institution or evidence of access to any legal funding instrument; **In case of Orders:** *For each project provide the following: Description of service provided, Project cost and duration, Proof of orders issued for each project and Reference letter for each project*
 - 5.3 *Letter of commitment from fleet company or Confirmation from transport company or distribution agent. For own transport bidder must supply proof thereof **AND** Signed Supplier/Manufacturer Agreement);*
 - 5.4 *Proof of Physical address as stated in the Centralised Supplier Database (CSD) in a form of the Municipality Bills or Business Letters or Lease Agreement or Letter from the Municipal Authority, (Not Older than 3 Months)*

NB. Non-submission of any of the above documents shall result in inability to score functionality points which will result in elimination.

SPECIAL TERMS AND CONDITIONS

INTRODUCTION

- a) Tenderers must ensure that they are fully aware of all the Terms and Conditions contained in this bid document.
- b) Only tenderers that fully meet the prequalification criteria shall be considered.

1. ACCEPTANCE OF BID

- a. The Department of Agriculture is under no obligation to accept any bid.

2. AMENDMENT OF CONTRACT

- 2.1. Any amendment to or renunciation of the provisions of the contract shall at all times be done in writing and shall be signed by both parties, subject to the Department of Agriculture Bid Adjudication Committee approval.

3. AWARD

- 3.1. The awarding of this bid is not dependent on the factors of prices and preference points as the bid is for an appointment of a panel. Bidders who meet the prequalification and administrative compliance will be scored on functionality and only bidders with a minimum score of 75 will be accepted.
- 3.2. To ensure equitable distribution of potential opportunities arising from the panels, qualifying service providers will be restricted to participate in **not more than two (2) of the six (6) districts**. Therefore, service providers must indicate their preferred two districts out of the six districts as outlined in Table 5. Where a service provider does not indicate their preference, they will be disqualified.
- 3.3. In the event that the department is unable to establish a panel for a particular district (for whatever reason), the department reserves the right to utilize panels from other districts prior approval from the Accounting Officer.

4. BASIS AND QUANTITIES

- 4.1. Quantities are not reflected on the bid as they will only be determined and reflected during the quotation stage.

5. CHANGE OF ADDRESS

- 5.1. Bidders must advise the Department of Agriculture - Supply Chain Management, Contract Administration should their ownership or address (*domicilium citandi et executandi*) details change from the time of bidding to the expiry of the contract.

6. COUNTER OFFERS

- 6.1. Counter offers will not be considered.

7. DELIVERY AND PACKAGING

- 7.1. Basis of delivery: Delivery of goods shall be made as directed by the Department.
- 7.2. All deliveries must take place from Monday to Friday between 08h00 and 15h00.
- 7.3. In emergency cases, the Department of Agriculture reserves the right to request the successful bidder/s to effect deliveries at any given time including Saturdays, Sundays and public holidays.
- 7.4. The delivery performance of a contractor will be closely monitored and any subsequent orders will only be issued to the contractor that has proved to be competent with their delivery performance.
- 7.5. Inspection and sampling of items will be conducted upon delivery to verify quantity and compare the item against the contract sample and any other quality accreditation that is prescribed.
- 7.6. All packaging and labelling must comply with Act 36 of 1947.

8. DELIVERY CONDITIONS

- 8.1. Delivery of products must be made in accordance with the instructions appearing on the official purchase order.

- 8.2. All deliveries must be accompanied by a delivery note stating the official purchase order number against the delivery that has been affected.
- 8.3. All delivery notes that will be accompanying the Invoice must be signed by the beneficiary representative and government official.
- 8.4. In respect of items awarded to them, bidder must adhere strictly to the delivery schedule submitted with the quotation.
- 8.5. The instructions appearing on the official purchase order form regarding the supply, dispatch and submission of invoices must be strictly adhered to.
- 8.6. All invoices submitted must be original.
- 8.7. Deliveries not complying with the specifications and order form will be returned to the contractor at the contractor's expense.
- 8.8. No locally manufactured product may be substituted during the contract period with an imported product.

9. DETAILS OF RELATED CONTRACTS AWARDED TO THE BIDDER (PAST/CURRENT)

- 20.1 The bidder must furnish the following details of all past and current contracts within the last ten (10) years.
 - (i) Date of commencement of contract/s;
 - (ii) Value per contract; and
 - (iii) Contract details. That is, with whom held, phone number and address/s of the companies.

10. CONFIRMATION OF SUPPLY

- 10.1. In the event of the panellist/input supplier not being the actual manufacturer of the Agricultural inputs and will be sourcing from a manufacturer, the panellist / supplier must submit complete supplier agreement in the Bid Document or a letter from that manufacturer confirming firm supply arrangement(s) including lead times and all certificates as stipulated in these Special Terms and Conditions.
- 10.2. Failure to comply with the stated requirements will result in disqualification during the quotation process.
- 10.3. When calling for quotations from the panels, the department reserves the right to also prescribe a prequalification criterion for manufacturers from whom the panellists/suppliers will be sourcing the agricultural inputs.

11. IRREGULARITIES

- 11.1. Companies are encouraged to advise the Department timeously of any possible irregularities which might come to their notice in connection with this or other contracts.

12. PAYMENT FOR SUPPLIES AND SERVICES

- 12.1. A service provider shall be paid by the Department in accordance with supplies delivered and services rendered.
- 12.2. Should a service provider indicate a special discount on his/her account provided payment is made within a certain time, the Department shall make every effort to take advantage of such discount.

- 12.3.** Any query concerning the non-payment of accounts must be directed to the Department. The following protocol will apply if accounts are queried:
- 12.3.1.** Contact must be made with the District Director;
 - 12.3.2.** If there is no response from the District Director, the Chief Director: Financial Management must be contacted.
- 12.4.** Information as contained on the Central Suppliers Database must be valid/ correct. Non-compliance with Tax Requirements will affect payment.

13. PERIOD OF CONTRACT

- 13.1.** The framework will run for a period of **36 months**.
- 13.2.** All qualifying suppliers will enter into a Service Level Agreement (SLA) with the Department prior to receiving an order to do specific work.
- 13.3.** The Department will have the discretion to add service providers to the database through open advertising in at least a print media.
- 13.4.** The Department has the discretion to remove service providers who have provided Sub-standard supplies or who have not kept to reasonable deadlines for service delivery.