PA-04 (GS): NOTICE AND INVITATION TO BID

THE DEPARTMENT OF PUBLIC WORKS INVITES BIDDERS FOR THE PROVISION OF PROVISION OF GUARDING SERVICES AT HOPE STREET PARKING FOR A PERIOD OF TWENTY FOUR (24) MONTHS

Project title:	PROVISION OF SECURITY GUARDING SERVICES AT HOPE STREET PARKING FOR A PERIOD OF TWENTY FOUR (24) MONTHS

Bid no:	CPTSC05/23		
Advertising date:	01/09/2023	**Closing date:**	22/09/2023
Closing time:	11:00	**Validity period:**	84 **days**

1. FUNCTIONALITY CRITERIA APPLICABLE YES ☐ NO ☒

Note 1: *Failure to meet minimum functionality score will result in the tenderer being disqualified.*

Functionality criteria:[1]	**Weighting factor:**
Total	**100 Points**

(Weightings will be multiplied by the scores allocated during the evaluation process to arrive at the total functionality points)

Minimum functionality score to qualify for further evaluation:	

(Total minimum qualifying score for functionality is 50 percent, any deviation below or above the 50 percent, provide motivation below).

2. THE FOLLOWING EVALUATION METHOD FOR RESPONSIVE BIDS WILL BE APPLICABLE:

☐ Method 1 (Financial offer)	☒ Method 2 (Financial and Preference offer)

2.1. Indicate which preference points scoring system is applicable for this bid:

☒ **80/20** Preference points scoring system	☐ **90/10** Preference points scoring system	☐**Either 80/20 or 90/10** Preference points scoring system

[1]The points allocated to each functionality criterion should not be generic but should be determined separately for each tender on a case by case basis.

3. RESPONSIVENESS CRITERIA

3.1. Indicate substantive responsiveness criteria applicable for this tender. Failure to comply with the criteria stated hereunder shall result in the tender offer being disqualified from further consideration:

1	☒	Only those tenderers who satisfy the eligibility criteria stated in the Tender Data may submit tenders.
2	☒	Tender offer must be properly received on the tender closing date and time specified on the invitation, fully completed either electronically (if issued in electronic format), or by writing legibly in non-erasable ink. (All as per Standard Conditions of Tender).
3	☐	All parts of tender documents submitted must be fully completed in ink and signed where required
4	☒	Use of correction fluid is prohibited.
5	☒	Submission of PA-32: Invitation to Bid
6	☒	Submission of record of attending compulsory briefing session. The bidders must sign the attendance register at the meeting as proof of attendance and the register will be closed at the venue after the meeting. Failure to sign the attendance register will render your bid non-responsive.
7	☒	Submission of copy of valid PSIRA company registration certificate Submission of copy of valid PSIRA Grade A or B certificate for the Director(s) Submission of copy of valid PSIRA Letter of Good Standing Submission of copy of valid COIDA Letter of Good Standing from Departmnet of Labour Submission of copy of valid certificate of registration issued by the National Bargaining Council for the Private Security Sector.
8	☒	The bidder must submit 3 completed projects in Provision of Physical Security Guarding Services with a minimum accumulated value of R300 000.00 only. The following documents must be submitted in relation to the above: 1. Appointment letter(s) with clear contract description, contract value, contract duration and contact details. OR 2. Service Level Agreement with clear contract description, contract value, contract duration and contact details OR 3. Purchase order with clear contract description and contract value. The above documents must be accompanied by the reference letters, must be aligned to the submitted completed projects. Failure to submit any of the above required documents will render the bid non-responsive and duly disqualified The bidder must submit a fully completed Pricing Schedule and transfer to PA-32 (Invitation to Bid form) as provided in the tender document. TOTAL DIRECT COST AS PER NATIONAL BARGAINING COUNCIL FOR PRIVATE SECURITY SECTOR (USE LINE B). Failure to transfer the total price from the pricing schedule will result to the bid being disqualified
9	☐	***Specify other responsiveness criteria***
10	☐	***Specify other responsiveness criteria***
11	☐	***Specify other responsiveness criteria***

3.2. Indicate administrative requirements applicable for this tender. Tenderers may be required to submit the below documents where applicable.

The Employer reserves the right to request further information regarding the undermentioned criteria. Failing to submit further clarification and/or documentation within seven (7) calendar days from request or as specifically indicated, will disqualify the tender offer from further consideration.

1	☒	Any correction to be initialled by the person authorised to sign the tender documentation as per PA 15.1 or PA 15.2 resolution of board/s of directors / or PA15.3 Special Resolution of Consortia or JV's .
2	☒	Submission of applicable (PA-15.1, PA-15.2, PA-15.3): Resolution by the legal entity, or consortium / joint venture, authorising a dedicated person(s) to sign documents on behalf of the firm / consortium / joint venture.
3	☒	Submission of (PA-11): Bidder's disclosure.
4	☒	Submission of (PA 40): Declaration of Designated Groups for Preferential Procurement.
5	☒	Submission of proof of Registration on National Treasury's Central Supplier Database (CSD) or insert the Supplier Registration Number on the form of offer
6	☒	Upon request, submission of a fully completed security clearance application form with supporting documentation and information as required. The security clearance form will be provided by the Employer for projects requiring a security clearance.
7	☒	Copy of confirmation letter of Good Standing from UIF, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure. Copy of Bargaining Council Health Insurance, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure. OR Copy of Bargaining council Medical Aid Allowance, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure. Proof of provident fund, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure. Proof of public liability for an amount of R2 million, if not yet registered the company will be given a period of seven (7) calender days to register and submit to the Department of Public Works & Infrastructure. Copy of a valid Letter of Good Standing issued by the National Bargaining Council for the Private Security Sector, if not yet provided the company will be given a period of seven (7) calendar days to obtain and submit to the Department. (In the event the bidder has already obtained the letter of Good Standing issued by the National Bargaining Council for the Private Security Sector, such a bidder should submit it with the tender document)
8	☒	Bidders must provide a valid copy of ICASA license or lease agreement signed by both lessor and lessee together with a copy of ICASA licence from the company the bidder is leasing.
9	☒	Bidder must submit a proof of existing Administrative Office or a Letter of intent to rent or buy within the Cape Metropiltan Area where the service will be rendered within the Western Cape.
10	☒	All parts of tender documents submitted must be fully completed in ink and signed where required

3.3. Indicate administrative requirements applicable for specific goals, Tenderers will not be required to submit the below document if not provided in the original tender proposals, Failure to comply with the criteria stated hereunder <u>shall</u> result in the tenderer not allocated points for specific goals:

1	☒	Submission of (PA-16): Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022

2	☒	A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Certificate issued by a SANAS accredited service provider

4. METHOD TO BE USED TO CALCULATE POINTS FOR SPECIFIC GOALS

☒ **4.1. For procurement transaction with rand value greater than R1 Million and up to R50 Million (Inclusive of all applicable taxes) the specific goals listed in table 1 below are applicable.**

Table 1

Serial No	Specific Goals	Preference Points Allocated out of 20	Documentation to be submitted by bidders to validate their claim
1.	An EME or QSE or any entity which is at least 51% owned by black people (Mandatory)	10	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area (Mandatory)	2	• Official Municipal Rates Statement which is in the name of the bidder. Or • Any account or statement which is in the name of the bidder. Or • Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder. Or • Lease Agreement which is in the name of the bidder.
3.	An EME or QSE or any entity which is at least 51% owned by black women (Mandatory)	4	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
4.	An EME or QSE or any entity which is at least 51% owned by black people with disability (Mandatory)	2	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable. and • Medical Certificate indicating that the disability is permanent. Or • South African Social Security Agency (SASSA) Registration indicating that the disability is permanent. Or

			National Council for Persons with Physical Disability in South Africa registration (NCPPDSA).
5.	An EME or QSE or any entity which is at least 51% owned by black youth (Mandatory)	2	• ID copy and SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.

☐ **4.2. For procurement transaction with rand value greater than R50 Million (Inclusive of all applicable taxes) the specific goals listed in table 2 below are applicable.**

NB. The use of one of goal numbers' 4 or 5 is mandatory. The BSC must select either one of the two, but not both.

Table 2

Serial No	Specific Goals	Preference Points Allocated out of 10	Documentation to be submitted by bidders to validate their claim
1.	An EME or QSE or any entity which is at least 51% owned by black people (Mandatory)	4	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area (Mandatory)	2	• Official Municipal Rates Statement which is in the name of the bidder. Or • Any account or statement which is in the name of the bidder. Or • Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder. Or • Lease Agreement which is in the name of the bidder.
3.	An EME or QSE or any entity which is at least 51% owned by black women (mandatory)	2	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.

	4. ☐	An EME or QSE or any entity which is at least 51% owned by black people with disability (Mandatory)	2	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable. and • Medical Certificate indicating that the disability is permanent. Or • South African Social Security Agency (SASSA) Registration indicating that the disability is permanent. Or National Council for Persons with Physical Disability in South Africa registration (NCPPDSA).
	OR			
	5. ☐	An EME or QSE or any entity which is at least 51% owned by black youth (Mandatory)	2	• ID Copy and SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable

5. COLLECTION OF BID DOCUMENTS:

☒ Bid documents are available for free download on e-Tender portal www.etenders.gov.za

☒ Alternatively; Bid documents may be collected during working hours at the following address Customs House. A non-refundable bid deposit of R 200,00 is payable, (Cash only) is required on collection of the bid documents.

☒ A ***compulsory*** pre bid meeting with representatives of the Department of Public Works will take place at Customs House on 12/09/2023 starting at 10:00am. Venue Third Floor Dome. *(if applicable)*

6. ENQUIRIES

6.1. Technical enquiries may be addressed to:

DPWI Project Manager	Lindile Mqokolo	**Telephone no:**	021 402 2199
Cellular phone no	0810314347	**Fax no:**	
E-mail	lindile.mqokolo@dpw.gov.za		

6.2. SCM enquiries may be addressed to:

SCM Official	Gloria Gusha	**Telephone no:**	021 402 2356
Cellular phone no		**Fax no:**	
E-mail	gloria.gusha@dpw.gov.za		

7. DEPOSIT / RETURN OF BID DOCUMENTS:

Telegraphic, telephonic, telex, facsimile, electronic and / or late tenders will not be accepted.
Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the bid document.

All tenders must be submitted on the official forms

BID DOCUMENTS MAY BE POSTED TO:		**DEPOSITED IN THE TENDER BOX AT:**
THE DIRECTOR -GENERAL DEPARTMENT OF PUBLIC WORKS PRIVATE BAG X 9027 Cape Town 8000 ATTENTION: **PROCUREMENT SECTION: ROOM** 941 ***POSTED TENDERS MUST BE RECEIVED PRIOR CLOSING DATE AND TIME AT 11H00 BY THE DEPARTMENT***	OR	Ground Floor Main Entrance 1 Lower Heeregracht Street Customs House Foreshore Cape Town 8000

PA-09 (GS): LIST OF RETURNABLE DOCUMENTS

Project title:	PROVISION OF SECURITY GUARDING SERVICES AT HOPE STREET PARKING FOR A PERIOD OF TWENTY FOUR (24) MONTHS		
Project Leader:	Lindile Mqokolo	**Bid / Quote no:**	CPTSC05/23

1. **THE BIDDER MUST COMPLETE THE FOLLOWING RETUNABLE DOCUMENTS:**
   (Bidders may use the "Returnable document" column to confirm documents have been completed and returned by inserting a tick)

Bid Document Name:	Number of Pages:	Returnable document:
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐

Name of Bidder	Signature	Date

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

Department:
Public Works and Infrastructure
REPUBLIC OF SOUTH AFRICA

PA 32: INVITATION TO BID
PART A

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (*NAME OF DEPARTMENT/ PUBLIC ENTITY*)					
BID NUMBER:	CPTSC05/23	CLOSING DATE:	22-09-2023	CLOSING TIME:	11:00
DESCRIPTION	PROVISION OF SECURITY GUARDING SERVICES AT HOPE STREET PARKING FOR A PERIOD OF TWENTY FOUR (24) MONTHS				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (DPW04.1 GS or DPW04.2 GS).					

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

OR POSTED TO:

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					
	TCS PIN:		**OR**	CSD No:	
SIGNATURE OF BIDDER	.....		**DATE**		
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)					

TOTAL NUMBER OF ITEMS OFFERED		**TOTAL BID PRICE ([1]ALL APPLICABLE TAXES)**	**R**
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		**TECHNICAL INFORMATION MAY BE DIRECTED TO:**	
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

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 ONLINE

1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES).

1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.

2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.

2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO

3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO

3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO

3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

Note Well:

a) In respect of non VAT vendors the bidders may not increase the bid price under Section 67(1) of the Value Added Tax Act of 1991 where the relevant transaction would become subject to VAT by reason of the turnover threshold being exceeded and the bidder becomes liable for VAT.
b) **All delivery costs must be included in the bid price, for delivery at the prescribed destination.**
c) The price that appears on this form is the one that will be considered for acceptance as ***a firm and final offer***.
d) The grand total in the pricing schedule(s), inclusive of VAT, attached to the bid offer must correlate and be transferred to this form (PA32).
e) Where there are inconsistencies between the grand total price offer in the pricing schedule(s) and the PA32 price offer, the price offer on the PA32 shall prevail and deemed to be firm and final. No further correspondence shall be entered into in this regard.

[1] All applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

PA-11: 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 (1) 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.

3.5 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.

---

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.

3.7 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.

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

This form has been aligned with SBD4

PA-15.1: RESOLUTION OF BOARD OF DIRECTORS

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

_____

(legally correct full name and registration number, if applicable, of the Enterprise)

Held at _____ *(place)*

on _____ *(date)*

RESOLVED that:

1. The Enterprise submits a Bid / Tender to the Department of Public Works in respect of the following project:

   _____

   (project description as per Bid / Tender Document)

   Bid / Tender Number: _____ *(Bid / Tender Number as per Bid / Tender Document)*

2. *Mr/Mrs/Ms: _____

   in *his/her Capacity as: _____ *(Position in the Enterprise)*

   and who will sign as follows: _____

   be, and is hereby, authorised to sign the Bid / Tender, and any and all other documents and/or correspondence in connection with and relating to the Bid / Tender, as well as to sign any Contract, and any and all documentation, resulting from the award of the Bid / Tender to the Enterprise mentioned above.

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

15			
16			
17			
18			
19			
20			

The bidding enterprise hereby absolves the Department of Public Works from any liability whatsoever that may arise as a result of this document being signed.

Note:

1. ** Delete which is not applicable.*
2. ***NB:** This resolution must, where possible, be signed by all the Directors / Members / Partners of the Bidding Enterprise.*
3. *In the event that paragraph 2 cannot be complied with, the resolution must be signed by Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (attach proof of shareholding / ownership hereto).*
4. *Directors / Members / Partners of the Bidding Enterprise may alternatively appoint a person to sign this document on behalf of the Bidding Enterprise, which person must be so authorized by way of a duly completed power of attorney, signed by the Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (proof of shareholding / ownership and power of attorney are to be attached hereto).*
5. *Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.*

ENTERPRISE STAMP

PA-15.2: RESOLUTION OF BOARD OF DIRECTORS TO ENTER INTO CONSORTIA OR JOINT VENTURES

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

_____

_____

(Legally correct full name and registration number, if applicable, of the Enterprise)

Held at _____ *(place)*

on _____ *(date)*

RESOLVED that:

1. The Enterprise submits a Bid /Tender, in consortium/Joint Venture with the following Enterprises:

   _____

   _____

   (List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the Consortium/Joint Venture)

   to the Department of Public Works in respect of the following project:

   _____

   _____

   (Project description as per Bid /Tender Document)

   Bid / Tender Number: _____ *(Bid / Tender Number as per Bid / Tender Document)*

2. *Mr/Mrs/Ms: _____

   in *his/her Capacity as: _____ *(Position in the Enterprise)*

   and who will sign as follows: _____

   be, and is hereby, authorised to sign a consortium/joint venture agreement with the parties listed under item 1 above, and any and all other documents and/or correspondence in connection with and relating to the consortium/joint venture, in respect of the project described under item 1 above.

3. The Enterprise accepts joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Department in respect of the project described under item 1 above.

4. The Enterprise chooses as its *domicilium citandi et executandi* for all purposes arising from this joint venture agreement and the Contract with the Department in respect of the project under item 1 above:

   Physical address: _____

   _____

   _____

   _____ (code)

Postal Address: _____

_____

_____

_____ (code)

Telephone number: _____

Fax number: _____

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

The bidding enterprise hereby absolves the Department of Public Works from any liability whatsoever that may arise as a result of this document being signed

Note:

1. ** Delete which is not applicable.*
2. ***NB:*** *This resolution must, where possible, be signed by all the Directors / Members / Partners of the Bidding Enterprise.*
3. *In the event that paragraph 2 cannot be complied with, the resolution must be signed by Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (attach proof of shareholding / ownership hereto).*
4. *Directors / Members / Partners of the Bidding Enterprise may alternatively appoint a person to sign this document on behalf of the Bidding Enterprise, which person must be so authorized by way of a duly completed power of attorney, signed by the Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (proof of shareholding / ownership and power of attorney are to be attached hereto).*
5. *Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.*

ENTERPRISE STAMP

PA-15.3: SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the duly authorised representatives of the following legal entities who have entered into a consortium/joint venture to jointly bid for the project mentioned below: *(legally correct full names and registration numbers, if applicable, of the Enterprises forming a Consortium/Joint Venture)*

1. _____

_____

2. _____

_____

3. _____

_____

4. _____

_____

5. _____

_____

6. _____

_____

7. _____

_____

8. _____

_____

Held at _____ *(place)*

on _____ *(date)*

RESOLVED that:

RESOLVED that:

A. The above-mentioned Enterprises submit a Bid in Consortium/Joint Venture to the Department of Public Works in respect of the following project:

_____

_____

(Project description as per Bid /Tender Document)

Bid / Tender Number: _____ *(Bid / Tender Number as per Bid /Tender Document)*

B. *Mr/Mrs/Ms: _____

in *his/her Capacity as: _____ *(Position in the Enterprise)*

and who will sign as follows: _____

be, and is hereby, authorised to sign the Bid, and any and all other documents and/or correspondence in connection with and relating to the Bid, as well as to sign any Contract, and any and all documentation, resulting from the award of the Bid to the Enterprises in Consortium/Joint Venture mentioned above.

C. The Enterprises constituting the Consortium/Joint Venture, notwithstanding its composition, shall conduct all business under the name and style of:

_____

D. The Enterprises to the Consortium/Joint Venture accept joint and several liability for the due fulfilment of the obligations of the Consortium/Joint Venture deriving from, and in any way connected with, the Contract entered into with the Department in respect of the project described under item A above.

E. Any of the Enterprises to the Consortium/Joint Venture intending to terminate the consortium/joint venture agreement, for whatever reason, shall give the Department 30 days written notice of such intention. Notwithstanding such decision to terminate, the Enterprises shall remain jointly and severally liable to the Department for the due fulfilment of the obligations of the Consortium/Joint Venture as mentioned under item D above.

F. No Enterprise to the Consortium/Joint Venture shall, without the prior written consent of the other Enterprises to the Consortium/Joint Venture and of the Department, cede any of its rights or assign any of its obligations under the consortium/joint venture agreement in relation to the Contract with the Department referred to herein.

G. The Enterprises choose as the *domicilium citandi et executandi* of the Consortium/Joint Venture for all purposes arising from the consortium/joint venture agreement and the Contract with the Department in respect of the project under item A above:

Physical address: _____

_____

_____

_____ (code)

Postal Address: _____

_____

_____

_____ (code)

Telephone number: _____

Fax number: _____

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

The bidding enterprise hereby absolves the Department of Public Works from any liability whatsoever that may arise as a result of this document being signed.

Note:

1. ** Delete which is not applicable.*
2. ***NB:*** *This resolution must be signed by all the Duly Authorised Representatives of the Legal Entities to the consortium/joint venture submitting this tender, as named in item 2 of Resolution PA-15.2.*
3. *Should the number of the Duly Authorised Representatives of the Legal Entities joining forces in this tender exceed the space available above, additional names, capacity and signatures must be supplied on a separate page.*
4. *Resolution PA-15.2, duly completed and signed, from the separate Enterprises who participate in this consortium/joint venture, must be attached to this Special Resolution (PA-15.3).*

public works
& infrastructure
Department:
Public Works and Infrastructure
REPUBLIC OF SOUTH AFRICA

PA-16: 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 **Preference Points System to be applied**

(*tick whichever is applicable*).

☐ The applicable preference point system for this tender is the **80/20** preference point system.

☐ The applicable preference point system for this tender is the **90/10** preference point system.

☐ 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 shall be awarded for:**

1.3.1 Price; and

1.3.2 Specific Goals

1.4 **The maximum points for this tender are allocated as follows:**

CHOOSE APPLICABLE PREFERENCE POINT SCORING SYSTEM	☒ 80/20	☐ 90/10
PRICE	80	90
SPECIFIC GOALS	20	10
Total points for Price and Specific Goals	100	100

1.5 **Breakdown Allocation of Specific Goals Points**

☐ **1.5.1. For procurement transaction with rand value greater than R2 000, 00 and up to R1 Million (Inclusive of all applicable taxes) the specific goals listed in table 1 below are applicable.**

Table 1

Serial No	Specific Goals	Preference Points Allocated out of 20	Documentation to be submitted by bidders to validate their claim
1.	An EME or QSE which is at least 51% owned by black people (Mandatory)	10	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area (Mandatory)	2	• Official Municipal Rates Statement which is in the name of the bidder. Or • Any account or statement which is in the name of the bidder. Or • Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder. Or • Lease Agreement which is in the name of the bidder.
3.	An EME or QSE which is at least 51% owned by black women (Mandatory)	4	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
4.	An EME or QSE which is at least 51% owned by black people with disability (Mandatory)	2	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable. and

			• Medical Certificate indicating that the disability is permanent. Or • South African Social Security Agency (SASSA) Registration indicating that the disability is permanent. Or • National Council for Persons with Physical Disability in South Africa registration (NCPPDSA).
5.	An EME or QSE which is at least 51% owned by black youth (Mandatory)	2	• ID Copy and SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.

☒ **1.5.2. For procurement transaction with rand value greater than R1 Million and up to R50 Million (Inclusive of all applicable taxes) the specific goals listed in table 2 below are applicable.**

Table 2

Serial No	Specific Goals	Preference Points Allocated out of 20	Documentation to be submitted by bidders to validate their claim
1.	An EME or QSE or any entity which is at least 51% owned by black people (Mandatory)	10	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area (Mandatory)	2	• Official Municipal Rates Statement which is in the name of the bidder. Or • Any account or statement which is in the name of the bidder.

			Or • Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder. Or • Lease Agreement which is in the name of the bidder.
3.	An EME or QSE or any entity which is at least 51% owned by black women (Mandatory)	4	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
4.	An EME or QSE or any entity which is at least 51% owned by black people with disability (Mandatory)	2	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable. and • Medical Certificate indicating that the disability is permanent. Or • South African Social Security Agency (SASSA) Registration indicating that the disability is permanent. Or National Council for Persons with Physical Disability in South Africa registration (NCPPDSA).
5.	An EME or QSE or any entity which is at least 51% owned by black youth (Mandatory)	2	• ID Copy and SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.

1.5.3. For procurement transaction with rand value greater than R50 Million (Inclusive of all applicable taxes) the specific goals listed in table 3 below are applicable.

☐ **NB. The use of one of goal numbers' 4 or 5 is mandatory. The BSC must select either one of the two, but not both.**

Table 3

Serial No	Specific Goals	Preference Points Allocated out of 10	Documentation to be submitted by bidders to validate their claim
1.	An EME or QSE or any entity which is at least 51% owned by black people (Mandatory)	4	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area (Mandatory)	2	• Official Municipal Rates Statement which is in the name of the bidder. Or • Any account or statement which is in the name of the bidder. Or • Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder. Or • Lease Agreement which is in the name of the bidder.
3.	An EME or QSE or any entity which is at least 51% owned by black women (mandatory)	2	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
4. ☐	An EME or QSE or any entity which is at least 51% owned by black people with disability (Mandatory)	2	• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable. and

				• Medical Certificate indicating that the disability is permanent. Or • South African Social Security Agency (SASSA) Registration indicating that the disability is permanent. Or National Council for Persons with Physical Disability in South Africa registration (NCPPDSA).	
	OR 5. ☐	An EME or QSE or any entity which is at least 51% owned by black youth (Mandatory)	2	• ID Copy and SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable	

Black people mean Africans, Coloureds and Indians, who - (a) are citizens of the Republic of South Africa by birth or descent; or (b) 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 naturalisation prior to that date. (BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT No 25899, 2003 of 9 JANUARY 2004).

1.6 Failure on the part of the tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals, if the service provider/ tenderer did not submit proof or documentation required to claim for specific goals will be interpreted to mean that preference points for specific goals are not claimed.

1.7 The organ of state reserves the right to require of a service provider/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**

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right) \text{ or } \quad Ps = 90\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = 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**

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = 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 1,2 and 3 above 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 4: 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	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)
1. An EME or QSE (or any entity for procurement transaction with rand value greater than R1 Million) which is at least 51% owned by black people	4	10		
2. Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area	2	2		
3. An EME or QSE (or any entity for procurement transaction with rand value greater than R1 Million) which is at least 51% owned by black women	2	4		

The specific goals allocated points in terms of this tender	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)
4. An EME or QSE (or any entity for procurement transaction with rand value greater than R1 Million) which is at least 51% owned by black people with disability	2	2		
5. An EME or QSE (or any entity for procurement transaction with rand value greater than R1 Million) which is at least 51% owned by black youth.*	2	2		

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: .....

.....

.....

.....

public works & infrastructure
Department:
Public Works and Infrastructure
REPUBLIC OF SOUTH AFRICA

PA- 40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT

Name of Tenderer ..... ☐ EME[1] ☐ QSE[2] ☐ Non EME/QSE (tick applicable box)

1. **LIST ALL PROPRIETORS, MEMBERS OR SHAREHOLDERS BY NAME, IDENTITY NUMBER, CITIZENSHIP AND DESIGNATED GROUPS.**

Name and Surname #	Identity/ Passport number and Citizenship##	Percentage owned	Black	Indicate if youth	Indicate if woman	Indicate if person with disability	Indicate if living in Rural (R) / Under Developed Area (UD) / Township (T) / Urban (U).	Indicate if military veteran
1.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No
2.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No
3.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No
4.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No
5.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No
6.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No
7.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No
8.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No
9.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No
10.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No
11.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No
12.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ R ☐ UD ☐ T ☐ U	☐ Yes ☐ No

\# Where Owners are themselves a Company, Close Corporation, Partnership etc, identify the ownership of the Holding Company, together with Registration number
\## State date of South African citizenship obtained (not applicable to persons born in South Africa)

[1] EME: Exempted Micro Enterprise
[2] QSE: Qualifying Small Business Enterprise

2. DECLARATION:

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the Tenderer, hereby confirms that:

1. The information and particulars contained in this Affidavit are true and correct in all respects;
2. The Broad-based Black Economic Empowerment Act, 2003 (Act 53 of 2003), Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), the Preferential Procurement Regulations, 2017, National Small Business Act 102 of 1996 as amended and all documents pertaining to this Tender were studied and understood and that the above form was completed according to the definitions and information contained in said documents;
3. The Tenderer understands that any intentional misrepresentation or fraudulent information provided herein shall disqualify the Tenderer's offer herein, as well as any other tender offer(s) of the Tenderer simultaneously being evaluated, or will entitle the Employer to cancel any Contract resulting from the Tenderer's offer herein;
4. The Tenderer accepts that the Employer may exercise any other remedy it may have in law and in the Contract, including a claim for damages for having to accept a less favourable tender as a result of any such disqualification due to misrepresentation or fraudulent information provided herein;
5. Any further documentary proof required by the Employer regarding the information provided herein, will be submitted to the Employer within the time period as may be set by the latter;

Signed by the Tenderer

Name of representative	**Signature**	**Date**

DPW-16 (EC): SITE INSPECTION MEETING CERTIFICATE

Project title:	***PROVISION OF SECURITY GUARDING SERVICES AT HOPE STREET PARKING FOR A PERIOD OF TWENTY FOUR (24) MONTHS***		
Tender no:	*CPTSC05/23*	**Reference no:**	
Closing date:	*22/09/2023*		

This is to certify that I, _____representing _____in the company of _____ visited the site on: ***12-09-2023***

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

Name of Tenderer	Signature	Date

Name of DPW Representative	Signature	Date

public works
& infrastructure
Department:
Public Works and Infrastructure
REPUBLIC OF SOUTH AFRICA

TERMS OF REFERENCE

1. PURPOSE OF THIS BID

The purpose of this bid is to invite security service providers for: PROVISION OF SECURITY GUARDING SERVICES AT HOPE STREET PARKING FOR A PERIOD OF TWENTY FOUR (24) MONTHS.

2. PROJECT OBJECTIVES

The objective of this bid is to appoint a security service provider for to ensure the safeguarding of the Department of Public Works & Infrastructure, assets, personnel and information for twenty four (24) hours a day and seven (7) days a week.

3. SCOPE OF WORK

The successful bidder appointed will be responsible to render security services at Hope Street Parking.

3.1 Safeguard Department of Public Works &Infrastructure Hope Street Parking for twenty four (24) hours a day and seven (7) days a week.

3.2 The turnaround time to place guards on site is immediate upon appointment.

3.3 Number of guards per shift is as follows:

3.3.1 Day Shift 1X Security supervisor with valid Grade B PSIRA Certificate and 2X Security Officers with valid Grade C PSIRA Certificate.

3.3.2 Night Shift 1X Security Supervisor with valid Grade B PSIRA Certificate and 2X Security Officers with valid Grade C PSIRA Certificate.

3.4 Perform access and egress control during working hours on weekends and public holidays

3.5 Patrol around internal and external Hope Street Parking building premises.

3.6 Conduct safety and security inspections inside and outside Hope Street Parking.

3.7 Assist during emergency situations as and when the need arises.

3.8 Report any incident or irregularities to the DPWI Security Manager.

3.9 Ensure access control through searching of persons, vehicles and goods, monitoring movement of people and CCTV cameras.

3.10 Compile a technical site report on a weekly basis submit to the Security Manager.

4. CONDUCT AND BEHAVIOUR OF SECURITY GUARDS AND SUPERVISORS

4.1 Possess good communication, reading and writing skills in English, and one (1) other official language

4.2 Security guards must have sober habits and portray a professional attitude at all the times.

4.3 Supervisors and security guards shall comply with the functions and duties as per the bid requirements.

4.4 Security guards must at least possess **grade 10** as a minimum of qualification and valid **PSIRA Grade C** certificate

4.5 Supervisor must at least possess **grade 12**, **PSIRA Grade B** certificate and a valid driver's license code 08 or 10

4.6 Service providers are prohibited to employ foreign nationals, only South Africans will be accepted on Department of Public Works &Infrastructure sites

4.7 Supervisor must post guards in correct uniform and supply the correct equipment as stipulated in the bid document

4.8 The Supervisor must visit every shift throughout the month and sign the OB (Occurrence Book) as proof of site visit, in the event the Supervisor fails to visit sites, the Department of Public Works &Infrastructure reserves the right to pro-rata the invoice

4.9 Use of incorrect uniform is prohibited

4.10 Security management team may visit the site at any time and should non-compliance be found, such will be escalated to the management

4.11 PSIRA registration cards and name tag shall be displayed by all security officers on duty.

4.12 No visible tattoos allowed on security officers.

4.13 Security officer on duty shall be in full uniform.

4.14 Security officer on duty shall not eat and smoke in public.

4.15 Security officer on duty shall be on his/her feet when attending to a client or to a member of public.

4.16 The use of private cellular phones is disallowed during working hours only the emergencies are allowed.

4.17 No security officer shall take away any item that belongs to the department or suppliers, be it cleaning material or toiletries.

4.18 Male officer should be clean shaven or leave a trimmed moustache.

5. WORKING SHIFTS

Working shifts is twenty four (24) hours a day and seven (7) days a week and will commence as follows:
Dayshift (06:00 to 18:00) and nightshift (18:00 to 06:00); Mondays to Sundays and public holidays.

6. THE SUCCESSFUL BIDDER MUST ENSURE THAT SECURITY GUARDS ARE EQUIPPED WITH THE FOLLOWING SERVICE AIDS:

a) Portable radio per point with earpieces for all security guards (radios must be programmed to contractors' frequency)
b) Full uniform and dress standard, jacket, shirt, pants, name tags, pull over jerseys and appropriate shoes
b) Patrol vehicle
c) Torches
d) Occurrence book
e) Pocket Books and pens(black and red)
f) Hand cuffs
g) Hand held metal detectors
h) Fire-fighting equipment
i) Whistle
j) Guard house
k) Ablution facilities
l) Patrol monitoring system.

7. SITE PROCEDURES MANUAL (Structural Plan)

The successful bidder will be required to submit a detailed site procedures manual within seven (7) days after appointment that *inter alia* address the following:

7.1 How security guards will execute and managed on a twenty four (24) hours a day and seven (7) days a week basis depending the departmental structural plan

7.2 How rapid reactions by security guard/s will be executed in terms of capacity and other relevant security structures.

8. OTHER CONDITIONS OF BID

8.1 MINIMUM SPECIFICATION

This specification is only minimum. Any shortcomings in the specifications should be pointed out in writing via email or be pointed out in the compulsory site briefing.

Any additional costs incurred by the service provider because of shortcomings in the bid specification will be for the service provider's own account e.g. providing of a guard house, ablution facilities etc.

8.2 COMPLIANCE

Failure to provide sufficient information may disqualify the bidder. Any condition imposed by the bidder that is restrictive or contrary to any part of this bid will automatically disqualify the bidder.

8.3 CLARIFICATION

The Department of Public Works & Infrastructure may request clarification or further information regarding any critical aspect of the bid. The bidder must supply the requested information within seven (07) calendar days however, where practical within 72 hours after the request has been made failure to do so the bidder may be disqualified if it fails to submit the required information after maximum of seven (7) calendar days.

8.4 ACCESS CONTROL SYSTEM

The security personnel must be able to control ingress (Entrance) and egress (Exit) point.

If any suspicious activities are depicted in any other manner, it should be reported to the Security Manager and entry to be made in the occurrence book immediately.

The information on the access control system must be recorded by the security staff and made available to the client for consolidating the site report and storage in line with the departmental internal security procedures.
As part of access control security guards must open and close the access gates of the building.
Access to the premises must be strictly controlled by the security guards, all Public Works employees and tenants should be required to use access cards to enter the building and visitors sign the visitor's register.

Inspection and searching of Departmental and private vehicles must be conducted at the entrance and exit points all the time.

8.5 LOST ITEMS:

8.5.1 DEFINITION:

Lost items found on the premises and for which ownership cannot be established immediately. All lost articles must be recorded in the occurrence book, after which they must be handed to the Security Manager immediately.

8.5.2 DELIVERIES/ DISPATCHING

No deliveries by any person will be received by security staff on behalf of the Department of Public Works & Infrastructure and Client Department. No dispatching by any person will be done by security staff on behalf of the Department of Public Works & Infrastructure and Client Department. Deliveries will be done only at the identified dispatching and delivery entrance/s.

8.6 LABOUR UNREST INCIDENTS:

8.6.1 DEFINITION:

It is when the Department's personnel on the site or the security personnel engage in illicit personnel practices such as strikes, unrest and intimidation.

8.6.2 LABOUR UNREST AT THE SITE

If the service is interrupted or temporarily deferred because of any labour unrest, labour dispute, civilian disorder, a local or national disaster or any other cause beyond the control of the service provider, the parties must come to an agreement on the methods to ensure continuation of the security service.

8.6.3 INDUSTRIAL RELATIONS

Ensure that all problems experienced by security officers on site including labour disputes are resolved amicably.

Adhere to the provisions relating to salaries, wages and remuneration as envisaged in the Basic Conditions of Employment Act and the National Bargaining Council. Security guards must ensure order during strikes/lock-outs.

9. EVALUATION OF SERVICE

The Department of Public Works &Infrastructure reserves the right to evaluate the conduct, behaviour and performance on site, should it be deemed necessary.

Evaluation of service shall be done by Department of Public Works & Infrastructure representative on the site as well as by the service provider as when the need arises.

The Department reserves the right to evaluate the service rendered by the service provider at any time, in order to ensure that the services are rendered in accordance with the conditions of the contract and site specification.

The Department of Public Works &Infrastructure reserves the right to require from the service provider that any of his/her employees be replaced, in which case the employee must leave the site forthwith.

The Department of Public Works &Infrastructure will not be held responsible for any damage or claims, which may arise because of this and is indemnified against any such claims and legal expenses.

NOTE: The Departmental representatives will have the right to check daily, whether sufficient personnel are available on site in terms of the conditions.

14. LIABILITY

The service provider hereby indemnifies the Client against all legal liability with regard to any claims that may arise as a result of a breach of contract or negligence on the part of the service provider in respect of its obligations in terms of this Agreement.

The service provider will be held liable for any damages or loss suffered by the Department of Public Works & Infrastructure, as a result of the contractor's own employees' negligence or intent, which originated on the site.

The Department of Public Works & Infrastructure shall not be liable for any loss or damage of any nature to any of the service providers' properties or any items kept at the Department's sites, even in cases where the loss originated as a result of negligence or intent on the part of the department.

The Department of Public Works & Infrastructure and other beneficiaries shall not bring any claim personally against any individual employed by or providing services on behalf of the service provider but only against the service provider in respect of loss or damage suffered by the Department of Public Works & Infrastructure or by other beneficiaries arising out of or in connection with the services.

This restriction shall not operate to limit or exclude the liability of the service provider as a company for the acts or omissions of its, directors, employees and agents. Any claim from the Department of Public Works & Infrastructure or other beneficiaries must be made (for these purposes a claim shall be made when court or other dispute resolution proceedings are commenced) within three years of the date on which the Department of Public Works & Infrastructure became aware, or ought reasonably to have become aware, of circumstances giving rise to a claim or potential claim against the service provider.

15. INDEMNIFICATION

The service provider hereby indemnifies the Department of Public Works & Infrastructure against any liability which the Department may incur as a result of any claim against the Department of Public Works & Infrastructure by any third party in respect of personal loss, death, injury or damage directly arising from any wilful or negligent acts or omissions by the service provider, its employees, agents or independent contractors in performing its obligations under this Agreement

16. OCCUPATIONAL HEALTH AND SAFETY

The service provider must comply with occupational Health and Safety Regulations

17. CONTINGENCY AND CRISIS MANAGEMENT PLAN

A Contingency and Crisis Management plan must be in place and available on request

18. DAMAGE OR DESTRUCTION

The Department of Public Works & Infrastructure will not be held liable for any damage to or destruction of any equipment or property of the contractor during the execution of their duties.

19. PUBLIC LIABILITY

The Department of Public Works & Infrastructure will not be liable for any claims and legal costs which might ensue from the failure by or acts committed by the security personnel against third persons, which act include the smuggling of illegal substances and weapons, illicit arrest and other illicit or wrongful deeds.

20. INSURANCE

The service provider must, at his/her own expenses, take out sufficient insurance against any claims, costs, loss and/or damage following from his/her obligations and shall ensure that such insurance remains operative for the duration of this agreement.

A copy of such insurance contract must be handed to the Departmental representative on commencement of the service.

Evidence that such insurance premiums have indeed been paid, must be furnished on request.

21. USE OF STATE ASSETS

The service provider may not, unless otherwise specified, make use of any of the State's equipment aids and/or property, for purposes of compliance with the conditions, which equipment, aids and/or property include *inter alia* stationery, rooms and furniture unless designated by the Department of Public Works & Infrastructure.

22. TRADING

Under no circumstances is security personnel allowed to carry on any trading activities within the premises of Department of Public Works & Infrastructure.

23. DISPLAYS

The service provider shall not erect or display any sign, printed matter, painting, name plates, advertisement, and article or object of any nature whatsoever in, or against the State buildings or sites or any part thereof without written consent.

The service provider shall not publicly display at the site any article or object which might be regarded as objectionable or undesirable. Any sign, printed matter, painting, name plate, advertisement, article or object displayed without written consent or which is regarded as objectionable or undesirable will immediately be removed. The service provider shall be held responsible for the costs of such removal and for damages or claims which might be incurred.

24. PRO-RATA DECREASE OF PAYMENT:

If at any time the service is not rendered in accordance with the conditions of contract or the specification (for example number of guards are incomplete), the Department of Public Works & Infrastructure reserve the right to adjust payment pro-rata.

Similarly, no departure from or breach of or failure to comply with any of the conditions shall be deemed to be a condonation, waiving or ratification of such departure, breach or failure to comply, unless such condonation, waiving or non-fulfilment has been agreed to in writing, through the Departmental Bid Committee.

25. TERMINATION OF SERVICE:

The stipulations of the Service Level Agreement (SLA) apply in particular to cases of any failure to comply with any of the conditions of contract, or where an unsatisfactory service is rendered.

The successful Bidder/s must take note that the contract will be terminated if a trend of poor performance is observed or non-compliance with bid specification during execution of the contract. (See terms and conditions of service level agreement).
The service provider shall be terminated immediately should the contractor no longer qualify as security service provider in terms of the PSIRA, (Act 56 of 2001).
The service provider must notify the Department of Public Works & Infrastructure immediately should he/she or any member of his/her security personnel no longer meet the qualifications or conditions of the PSIRA, (Act 56 of 2001).
The service provider must immediately remove from the site and replace any of his/her employees who no longer qualify as security officers in terms of the PSIRA, (Act 56 of 2001).

26. AMENDMENT IN CONTRACT

Any amendment or waiving of the stipulations of the contract must occur in writing by mutual consent through the Departmental Bid Committee.

27. TRANSFER OF CONTRACT

Should the service provider alienate his/her rights and liabilities in terms of this contract, he/she must notify the Department of Public Works & Infrastructure immediately so that the necessary steps for the transfer of the contract can be taken in terms of Treasury Regulations.

28. EVALUATION ON COMPLIANCE WITH BID CONDITIONS

After passing pre-qualification stage, bidders will be evaluated on compliance with the method to be used to calculate points for specific goals and price.

Signature of Bidder: .....

Date: .....

29. SPECIAL CONDITIONS OF THE CONTRACT

29.1 Bidder must submit a proof of existing Administrative Office within the Cape Metropolitan Area where the service will be rendered within the Western Cape.

29.2 Administrative office:

The bidder must provide the following as proof of ownership of an existing administrative office:

- A copy of a tittle deed in the company or the director's name
  OR
- Lease Agreement in the name of the bidding company signed by both lessee (Director of the bidding company / delegated authority) and lessor which must be valid for the duration of the contract must be attached) valid for the duration of the contract
  OR
- Letter of intent to buy or to lease from the bidding company signed by the Director of the bidding company / delegated authority.

29.3 Infrastructure requirements- Vehicles

The bidder must provide one of the following as proof of vehicle:

1) Copy of E-Natis report for the vehicle(s) registered under director's name or company name

OR

2) Valid certificate of registration in respect of motor vehicle (National Road Traffic Act, 1996) registered under the director's name or company's name

OR

3) A lease agreement signed by both parties (the lessee and lessor) signed by the Director of the bidding company / delegated authority valid for the duration of the contract.

OR

4) A signed letter of intent (by the Director of the bidding company / delegated authority) to lease or buy.

30. STATUTORY DOCUMENTS REQUIRED AND MUST BE SUBMITTED WITH THE TENDER DOCUMENT FOR EVALUATION PURPOSES, FAILURE TO COMPLY WITH THE FOLLOWING WILL RESULTS TO ELIMINATION:

Submission of copy of valid PSIRA company registration certificate
Submission of copy of valid PSIRA Grade A or B certificate for the Director(s)
Submission of copy of valid PSIRA Letter of Good Standing
Submission of copy of valid COIDA Letter of Good Standing from Department of Labour
Submission of copy of valid certificate of registration issued by the National Bargaining Council for the Private Security Sector.

31. STATUTORY DOCUMENTS REQUIRED TO BE SUBMITTED BY A SUCCESSFUL BIDDER.

Copy of valid letter of Good Standing from UIF, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure.
Copy of Bargaining Council Health Insurance, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure. OR Copy of Bargaining council Medical Aid Allowance, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure.
Proof of provident fund, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure.

Proof of public liability for an amount of R2 million, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure.

Copy of a valid Letter of Good Standing issued by the National Bargaining Council for the Private Security Sector, if not yet provided the company will be given a period of seven (7) calendar days to obtain and submit to the Department.

(In the event the bidder has already obtained the letter of Good Standing issued by the National Bargaining Council for the Private Security Sector, such a bidder should submit it with the tender document)

NB: Failure to comply with the above conditions and or requirements will automatically invalidate your bid.

32. SECURITY CLEARANCE

32.1 The successful bidder will be subject to a positive security clearance obtained from the State Security Agency (SSA) before award. **If the results are negative the bidder will be disqualified.**

PRICE SCHEDULE

Bidders will be required to adhere to the National Bargaining Council rates effective from 1 March 2023 until 28 February 2024. Thereafter the revised National Bargaining Council rates, if any, will apply until the end of the contract.

Bidders will be compensated based on the National Bargaining Council rates for Private Security sector (Area 1 and Area 2 for Urban). Bidders must price Grade B for Supervisor and Grade C Security Guard and are required to price for share of overheads and mark-up percentage as indicated hereunder. Bidders must complete the Pricing schedule in full, failure will result to elimination. Only VAT vendors are eligible to price for VAT at 15%.

TOTAL DIRECT COST AS PER NATIONAL BARGAINING COUNCIL FOR PRIVATE SECURITY SECTOR **(Use line B) Failure to use this line will result to the bid disqualified**	**Unit price (for Grade B and grade C) Per Month**	**Quantity of guards required**	**Total Unit Price for the full contract duration (24 months)**
Grade B	R	X2	R
Grade C	R	X4	R
SUB-TOTAL			R
SHARE OF OVERHEADS (_____ %)			R
MARK- UP PERCENTAGE (_____ %)			R

VAT at 15% (if VAT vendor)	R
GRAND TOTAL IN FIGURES (Combine total cost for the duration of the contract **twenty four (24) months** for both Grade B and Grade C and must be transferred to PA 32 form-"Invitation to Bid". as total bid offer	R

NB: GRAND TOTAL MUST BE TRANSFERRED TO PA-32 (INVITATION TO BID) AND FULLY COMPLETED: INVITATION TO BID PART B AS TOTAL BID PRICE, FAILURE TO DO SO WILL INVALIDATE THE BID FOR FURTHER EVALUATION. FOR VAT VENDORS, IT IS MANDATORY TO INCLUDE VAT IN THEIR BID PRICE.

The bidder must invoice the Department of Public Works & Infrastructure accordingly. The Department of Public Works & Infrastructure reserves the right to negotiate with the bidder on the mark up percentage and/or overheads).

No additional costs will be accepted for whatever reason except increase or decrease in VAT or escalation of rates as per National Bargaining Council rates for Private Security sector.

The Department reserves the right to negotiate with bidders who are excessively high in their offers including overheads and profit.

SIGNED: _____

NAME OF SERVICE PROVIDER: _____ DATE_____

It is mandatory to quote using Line B of the illustrative Pricing Guide issued by the National Bargaining Council for the Private Security Sector, failure to do so will result to disqualification