



## **TERMS OF REFERENCE**

**FOR**

**APPOINTMENT OF A SERVICE PROVIDER FOR  
PROVISION OF HELICOPTER SERVICES FOR SOUTH  
AFRICAN NATIONAL PARK (FRONTIER REGION) FOR A  
PERIOD OF EIGHT (08) MONTHS**

**RFQ NUMBER:**

**SANParks -12628-10-21**

REQUEST FOR PROPOSAL	
RFQ NUMBER:	SANParks-12628-10-21
ADVERTISEMENT DATE:	16 November 2021
CLOSING DATE:	22 November 2021
CLOSING TIME:	12:00 pm
BID DOCUMENT DELIVERY ADDRESS:	<a href="mailto:Bandisiwe.Mda@sanparks.org">Bandisiwe.Mda@sanparks.org</a> (Please note that any submissions made to any other email other than the designated email will not be accepted)
COMPULSORY BRIEFING SESSION:	None
BID VALIDITY PERIOD:	90 days (commencing from the RFQ Closing Date)
TECHNICAL RELATED QUERIES	Rudi Williams (053 802 1900) / (082 887 4058) <a href="mailto:Rudi.Williams@sanparks.org">Rudi.Williams@sanparks.org</a>
SCM RELATED QUERIES	Bandisiwe Mda <a href="mailto:bandisiwe.mda@sanparks.org">bandisiwe.mda@sanparks.org</a>
DESCRIPTION OF RFQ:	APPOINTMENT OF A SERVICE PROVIDER FOR PROVISION OF HELICOPTER SERVICES FOR SOUTH AFRICAN NATIONAL PARK FOR A PERIOD OF EIGHT (08) MONTHS

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

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

Where applicable, the successful bidder will be required to fill in and sign a written Contract Form (SBD 7.2).

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

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

THIS RFQ IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

## PART A INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL PARKS)</b>					
BID NUMBER:	SANParks – 12628-10-21	CLOSING DATE:	22 November 2021	CLOSING TIME:	12H00
DESCRIPTION	APPOINTMENT OF SERVICE PROVIDER FOR THE PROVISION OF HELICOPTER SERVICES FOR THE SOUTH AFRICAN (FRONTIER REGION) FOR A PERIOD OF EIGHT (08) MONTHS				
<b>BID RESPONSE DOCUMENTS MUST BE SENT TO THE DESIGNATED EMAIL ADDRESS</b>					
bandisiwe.mda@sanparks.org					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Bandisiwe Mda		CONTACT PERSON	Rudi Williams	
TELEPHONE NUMBER	012 426 5370		TELEPHONE NUMBER	053 802 1900	
E-MAIL ADDRESS	bandisiwe.mda@sanparks.org		E-MAIL ADDRESS	Rudi.williams@sanparks.org	
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g. company resolution)

DATE: .....

## 1. PURPOSE

The purpose of this Terms of Reference (ToR) is to invite bidders to submit a quotation for provision of helicopter services for the purposes of wildlife monitoring operations and possible Bird Island maintenance in the Frontier Region, which includes Addo Elephant, Mountain Zebra, Camdeboo and Karoo National Parks.

## 2. BACKGROUND

South African National Parks (SANParks) is a public entity functioning under *National Environmental Management: Protected Areas Act 57 of 2003 (Act 57 of 2003)*; with the mandate to conserve; protect; control; and manage national parks and other defined protected areas and their biological diversity (Biodiversity). As a public entity, SANParks is also governed by the *Public Finance Management Act, Act 1 of 1999 (as amended by Act 29 of 1999)*, and it is listed as *Schedule 3 Part A: 25 public entities*.

SANParks' operations are totally guided by its vision statement and mission statement. As a public entity, the organisation is committed to act in pursuance of transformation of South Africa's society in support of entrenching South Africa's democracy. In this regard, the organisation has adopted a transformation mission to guide its efforts accordingly.

## 3. SCOPE OF WORK

The prospective bidder is expected to provide a four (4) seater piston engine helicopter equivalent to a R44 Raven II helicopter and an experienced pilot for the purpose of wildlife monitoring operations to the Frontier Parks.

SANParks primary objective is to implement conservation management in various National Parks, which includes wildlife monitoring and rhino notching operations.

<b>Four (4) Seater Piston Engine Helicopter Specifications (Similar to a Raven II)</b>
1. Helicopter must be equipped with safety equipment.
2. Emergency plan and reaction with flight following capabilities
3. Helicopter must be equipped with an operational communication system inclusive of a ground to air radio and must provide direct internal communication between the pilot and any passengers.
4. Helicopter must be equipped with a siren for the purpose of wildlife capture operations

5. The helicopter must be equipped with a safety flying helmet for the pilot.
6. The helicopter must be equipped with a safety flying helmet for the Veterinarian in case of wildlife darting operations.
7. The helicopter must be equipped with a full-body harness and dual attachment points on harness and machine (helicopter) in case of wildlife darting.

#### **Piloting Services Required:**

1. Aerial Census Operations
2. Wildlife Notching and Collaring Operations.
3. Monitoring flights to locate specific individual animals prior to notching or capture operations as well as general monitoring of the National Parks rare or endangered species.
4. Wildlife Snare Removals and Veterinary Treatment.
5. Emergency Response if and when required.
6. Chartering for the purpose of island maintenance

#### **Incidental Services Required (to be quoted separately on an ad-hoc basis)**

- The placement of a suitably experienced pilot and a turbine-driven engine helicopter to provide chartering for island maintenance, if and when so required.
- The placement of a suitably experienced pilot and helicopter to assist with specialized wildlife slinging, Cargo lifting and Fire Fighting Operations, if and when so required.
- The placement of a suitably experienced pilot and helicopter to assist in case of Emergency Response, if and when so required.

#### **4. RESPONSIBILITIES OF SANPARKS**

- Due to unpredictable changes in weather conditions it has to be agreed that should unfavourable weather conditions be the cause of operational delays, extension or helicopter being grounded it should not have cost implications for either parties. In such an event that a delay is experienced and the current operational commitments cannot be completed or in the event that the entire operation has to be rescheduled, it is noted that alternative dates for completion must be set. Such dates should be clearly discussed and agreed upon.
- The flying time shall be checked and signed by the SANParks operations coordinator / section ranger / scientist concerned after the completion of each day's flying.
- The liability of the aircraft and pilot while operating in the National Parks will be the responsibility of the service provider.
- SANParks shall not be held accountable or responsible for any claim, loss or damage whatsoever arising subsequent to the operation of the helicopter, and the service provider hereby indemnifies SANParks and holds it harmless against any claim in this regard.

- Successful Service Provider will be responsible for own food catering while on operation.
- Other than the return trip to base, helicopter ferries which are not related to operational requirements for SANParks purposes, between operations, will not be chargeable under the contract.

## 5. RESPONSIBILITIES OF THE BIDDER

- The successful service provider will be responsible for the helicopter maintenance and the associated maintenance and repair cost.
- The successful service provider must provide helicopter fuel and all helicopter spare parts.
- The successful service provider must make prior arrangements with fuel depots regarding the supply and placement of additional helicopter fuel to national parks.
- The interchanging of pilots during the contract period should be avoided and will have to be approved in advance by SANParks.
- The successful service provider **MUST** ensure and **provide proof** that the helicopter / helicopters supplied or contracted in under the contract shall be fully insured against loss and damage incidental to manufacture or acquisition, transportation and storage.
- The successful service provider **MUST** ensure and **provide proof** of a combined 3<sup>rd</sup> Party and Passenger Liability (Minimum of R 5 000 000.00 million per incident) and insurance reference must be given and coverage must include darting and other dangerous flying work.
- The successful service provider **MUST** ensure that the helicopter is ready for use, if the helicopter is out of use, due to routine maintenance or breakdown, a backup helicopter with the same specifications as per the terms of reference must be made available to commence with required operations. The replacement helicopter must be at no cost to SANParks.
- The successful service provider **MUST** ensure that in case of helicopter breakdown, and if the helicopter can't be repaired within a 48-hour period, a backup helicopter with same specifications as per the terms of reference **MUST** be made available to continue with the required operations. The replacement helicopter must be at no cost to SANParks

## 6. SPECIAL CONDITIONS

### COVID -19 OCCUPATIONAL HEALTH AND SAFETY REGULATIONS AND PROCEDURES

The purpose is to provide guidelines and stipulate measures to be taken in order to protect the health safety of all persons and members of the public entering SANParks work sites or are exposed to SANParks work activities from COVID – 19 risk.

These measures include infection transmission prevention, maintaining a minimum distance between participants at all times, the provision of protective equipment and the implementation of

hygiene procedures. These measures are supported by awareness campaigns such as the creation of awareness - raising posters for all participants, as well as training on additional OHS measures and fully integrating these preventive measures into the workplace.

This procedure applies to Environmental Programmes (EP), including all subsidiary programmes, contractor teams, operational staff and visitors to the work site. It exclude facilities.

The service provider MUST place the following standard minimum COVID-19 provisions;

1. Risk Assessment
2. Engineering Controls
3. Administrative Controls
4. Health and Safety Work Practices
5. Personal Protective Equipment (PPE)
6. Provision of Safe Transport

## **8. TIMELINES**

Upon appointment the recommended service provider is expected to complete the scope of work as and when required from receipt of order. SANParks reserves the right to cancel the Purchase Order if the recommended service provider fails to deliver on time.

Services will be required over an eight month period, starting from November 2021 until end of June 2022.

## **9. FINANCIAL PAYMENT**

Payment will be made in accordance with the PFMA (within 30 days) after completion of all work as per the scope of work.

- A order will be issued after receipt of quotation
- Invoice payment will be made 30 days after receipt of invoice
- Invoice must be supported by a signed logbook by both parties confirming the hours flown



## 10. PRICING SCHEDULE

APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF HELICOPTER SERVICES FOR THE PURPOSES OF MONITORING AND NOTCHING OPERATIONS FOR SCIENTIFIC SERVICES					
Item No	Item Description	Estimated hours	Unit Price Per Hour	Discount Offered	Price Excluding Vat (currency)
1.	Helicopter and pilot for flying for the purpose of wildlife monitoring and notching operations.	60 hours			
2.	Any additional costs				
TOTAL					R
VAT					R
GRAND TOTAL					R

## 11.1 MINIMUM REQUIREMENTS COMPLIANCE RESPONSIVENESS CRITERIA (*Compliance to legislative and treasury requirements*)

In this phase all responses received will be verified for compliance and completeness of the submitted proposal per the below set of requirements:

- Submission of fully completed SBD1 (Invitation to Bid),
- Submission of an official quotation on the company letter head
- Submission of fully completed SBD 4 (Declaration of Interest),
- Submission of fully completed SBD 6.1 (Preference Claim Certificate), accompanied by the original or certified B-BBEE Status Level Verification Certificate or original B-BBEE Sworn Affidavit,
- Submission of fully completed SBD8 (Declaration of Bidders Past SCM Practice),
- Submission of fully completed SBD9 (Certificate of Independent Bid Determination),
- Proof of registration with National Treasury Central Supplier Database (CSD).

## 11.2 MANDATORY REQUIREMENTS

Mandatory Requirements		
Proof of a valid Company Letter of Good Standing: Nature of Business – Flying Instructions and Hiring out of Aircraft issued by the Department of Labour	YES	NO
Supplier MUST provide a Valid Air Operating Certificate (AOC) and an Air Services License (ASL) issued by the South African Civil Aviation Authority (SACAA) that must be in the bidder's name as per their company registration documents. (Please provide copies as proof)	YES	NO
Supplier MUST provide a Valid Air Operations Specification (AOS) issued by the South African Civil Aviation Authority (SACAA) with General Air Service Class iii, Aircraft Category H2	YES	NO
The bidder must be certified for the following types of air services: G3 and G10, which must be reflected in the ASL	YES	NO

The bidder MUST provide a Valid Air Services License (Issued by the Air Service Licensing Council of South Africa) Class iii with Types of Air Services G10 and Categories of Aircraft H2	<b>YES</b>	<b>NO</b>
Proof of dedicated Pilot flying hours of experience: <ul style="list-style-type: none"> <li>○ The dedicated pilot must have a minimum of <b>2500 total</b> helicopter flying hours of which must be;</li> <li>○ A minimum of 500 Game Rating Hours (Please provide a Certified Copy of Pilot Logbook Hours).</li> </ul>	<b>YES</b>	<b>NO</b>
The bidder must provide a valid commercial helicopter pilots license for the dedicated pilot: <ul style="list-style-type: none"> <li>○ Pilot proficiency test,</li> <li>○ Valid Medical Certificate</li> <li>○ Valid Dangerous Goods (DG) Certificate</li> <li>○ Valid Game/Cull Rating</li> <li>○ Copy of the employment contract of the dedicated pilot</li> </ul>	<b>YES</b>	<b>NO</b>
The bidder MUST provide proof of a combined 3rd Party and Passenger Liability of a minimum of R 5 000 000.00 million per incident) and insurance reference must be given and coverage must include darting and other dangerous flying work. A signed letter of undertaking must be provided to confirm that this insurance requirement will be met upon contracting or awarding of this bid.  Please provide a signed letter of undertaking.	<b>YES</b>	<b>NO</b>
The bidder must provide a minimum of 3 Reference letters from contactable referees.	<b>YES</b>	<b>NO</b>

### 11.3 EVALUATION CRITERIA AND WEIGHTING

The **RFQ** stipulated that the responses to be evaluated using the 80/20 preference points system in accordance with the PPPFA guidelines. Based on this system the points will be allocated as follows:

Criteria	Points
Price	80
Participation Goals/BEE	20

<b>Total</b>	<b>100</b>
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#### 11.4 EVALUATION FORMULA FOR PRICE

The following formula will be applied to calculate the scores:

##### **Price Formula**

The following PPPFA formula was used to evaluate the price proposals submitted by bidders, this formula was used because price was the only criterion that was scored i.e. the whole 80 points were allocated to price.

$$PS = 80 (1 - \frac{Pt - Pmin}{Pmax - Pmin})$$

Pmin

Ps = Points scored for price of the bid under consideration.

Pt = Rand value of bid under consideration.

Pmin = Rand value of lowest acceptable bid

#### 12. FINAL AWARD

Bidder who complies with the specifications and scores highest total points on PRICE and B-BBEE claimed points shall be awarded the contract. SANParks reserves the right not to award this contract. SANParks reserves the right to negotiate with the awarded bidder.

## DECLARATION OF INTEREST (SBD 4)

Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

**2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity Number:

.....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):

.....

2.4 Company Registration Number:

.....

2.5 Tax Reference Number:

.....

2.6 VAT Registration Number:

.....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

<sup>1</sup>“State” means –

(a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

(b) any municipality or municipal entity;

(c) provincial legislature;

(d) national Assembly or the national Council of provinces; or

(e) Parliament.

<sup>2</sup>“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state?

**YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

.....

Name of state institution at which you or the person

connected to the bidder is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

.....

- 2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?

**YES / NO**

- 2.7.2.1 If yes, did you attached proof of such authority to the bid document?

**YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

- 2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

.....

- 2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?

**YES / NO**

2.8.1 If so, furnish particulars:

.....

.....

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

**YES / NO**

2.9.1 If so, furnish particulars.

.....

.....

.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

**YES/NO**

2.10.1 If so, furnish particulars.

.....

.....



.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

**YES/NO**

2.11.1 If so, furnish particulars:

.....  
.....  
.....

**3 Full details of directors / trustees / members / shareholders.**

Full Name	Identity Number	Personal Reference Number	Tax	State Employee Number / Persal Number


#### 4 DECLARATION

I, \_\_\_\_\_ THE \_\_\_\_\_ UNDERSIGNED  
(NAME).....

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST  
ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS  
OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature                      Date

.....  
Position                                      Name of bidder

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL  
PROCUREMENT REGULATIONS 2017**

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

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

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**10. GENERAL CONDITIONS**

**10.1** The following preference point systems are applicable to all bids:

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

**10.2**

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

**10.3** Points for this bid shall be awarded for:

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

**10.4** The maximum points for this bid are allocated as follows:

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

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

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

## **11. DEFINITIONS**

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good

practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

## 12. POINTS AWARDED FOR PRICE

### 12.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

**80/20**

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

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

**13. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**

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

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

**14. BID DECLARATION**

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

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

- 15.1** B-BBEE Status Level of Contributor: . = .....(maximum of 20 points)

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

## 16. SUB-CONTRACTING

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

(*Tick applicable box*)

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

16.1.1 If Yes, indicate:

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

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

.....

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

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

(*Tick applicable box*)

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

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		

Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**17. DECLARATION WITH REGARD TO COMPANY/FIRM**

**17.1** Name of  
Company/Firm:.....

**17.2** VAT Registration  
Number:.....

**17.3** Company Registration  
Number:.....

**17.4 TYPE OF COMPANY/ FIRM**

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

**17.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**



.....  
.....  
.....  
.....

**17.6 COMPANY CLASSIFICATION**

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

[*TICK APPLICABLE BOX*]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;

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

## DECLARATION OF BIDDER'S PAST SCM PRACTICES (SBD 8)

<ul style="list-style-type: none"> <li>Is the Bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? If Yes, furnish particulars as an attached schedule:</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>Is the Bidder or any of its directors listed on the Register for Tender Defaulters in terms of Section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? If Yes, furnish particulars as an attached schedule:</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>Was the Bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years? If Yes, furnish particulars as an attached schedule:</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>Was any contract between the Bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract? If Yes, furnish particulars as an attached schedule:</li> </ul>	Yes	No
<p>The Database of Restricted Suppliers and Register for Tender Defaulters resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the Home Page.</p>		

## CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

<p>I, the undersigned, in submitting this Bid in response to the invitation for the Bid made by the SANParks, do hereby make the following statements that I certify to be true and complete in every respect:</p>		
<ul style="list-style-type: none"> <li>I have read and I understand the contents of this Certificate;</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>I understand that the Bid will be disqualified if this Certificate is found not to be true and complete in every respect;</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>I am authorised by the Bidder to sign this Certificate, and to submit the Bid, on behalf of the Bidder;</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>Each person whose signature appears on the Bid has been authorised by the Bidder to determine the terms of, and to sign, the Bid on behalf of the Bidder;</li> </ul>	Yes	No
<p>For the purposes of this Certificate and the accompanying Bid, I understand that the word “competitor” shall include any individual or organisation, other than the Bidder, whether or not affiliated with the Bidder, who:</p> <ul style="list-style-type: none"> <li>a) Has been requested to submit a Bid in response to this Bid invitation;</li> <li>b) Could potentially submit a Bid in response to this Bid invitation, based on their qualifications, abilities or experience; and</li> <li>c) Provides the same goods and services as the Bidder and/or is in the same line of business as the Bidder</li> </ul>		

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 consortium<sup>3</sup> will not be construed as collusive bidding.

In particular, without limiting the generality of paragraphs above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- a) Prices;
- b) Geographical area where product or service will be rendered (market allocation);
- c) Methods, factors or formulas used to calculate prices;
- d) The intention or decision to submit or not to submit, a Bid;
- e) The submission of a Bid which does not meet the specifications and conditions of the Bid; or
- f) Bidding with the intention not to win the Bid.

In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this Bid invitation relates.

The terms of this 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.

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

<sup>3</sup> 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.

## STANDARD BIDDING DOCUMENTS DECLARATION

The following documents are deemed to form and be read and construed as part of this agreement even where integrated in this document:

Invitation to Bid (SBD 1)
Declaration of Interest (SBD4)
Preference points claimed (SBD6.1) – Original or certified copy of B-BBEE certificate or Sworn Affidavit
Declaration of Bidder's past SCM practices (SBD8);
Certificate of Independent Bid Determination (SBD9)

**The obligation to complete, duly sign and submit these declarations included in this SBD declaration pack cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the legal entity.**

I declare that I have had no participation in any collusive practices with any Bidder or any other person regarding this or any other procurement. I certify that the information furnished in these declarations (SBD4, SBD6.1, SBD8, SBD9) is correct and I accept that SANParks may reject the Offer or act against me should these declarations prove to be false. I confirm that I am duly authorised to sign this SBD declaration pack nominated in writing by the Chief Executive Officer or Senior Member/Person with management responsibility (Close Corporation, Partnership or Individual)

<b>NAME (PRINT)</b>	
<b>CAPACITY</b>	
<b>SIGNATURE</b>	
<b>NAME OF FIRM</b>	
<b>DATE</b>	

<b>WITNESSES:</b>	
<b>1</b>	_____
<b>2</b>	_____
<b>Date</b>	_____