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**SUPPLY AND DELIVERY OF JET A1 FUEL TO  
AIR FORCE BASE OVERBERG**

**SPSC-B-032-2023**

**FOR THE  
DEPARTMENT OF DEFENCE  
SIMON'S TOWN PROCUREMENT SERVICE CENTRE**

**CLOSING DATE: 05 DECEMBER 2023**

**TIME: 11H00**

**VALIDITY: 90 CALENDAR DAYS**

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## **CONTACT INFORMATION**

### **Technical Information and Administration Information:**

Contact: Warrant Officer Class One T.S. Tsogang  
Email Address: spsctechsection@gmail.com  
Office Tel No: (021) 787 5207  
Office Fax No: (021) 787 5171

Information regarding the completion of the Bid Documents:

Contact: Flight Sergeant E.F.Crous/Chief Petty Officer M. Claassen  
Office Tel No: (021) 787 5207 / 5131

### **Address for depositing of bid documents**

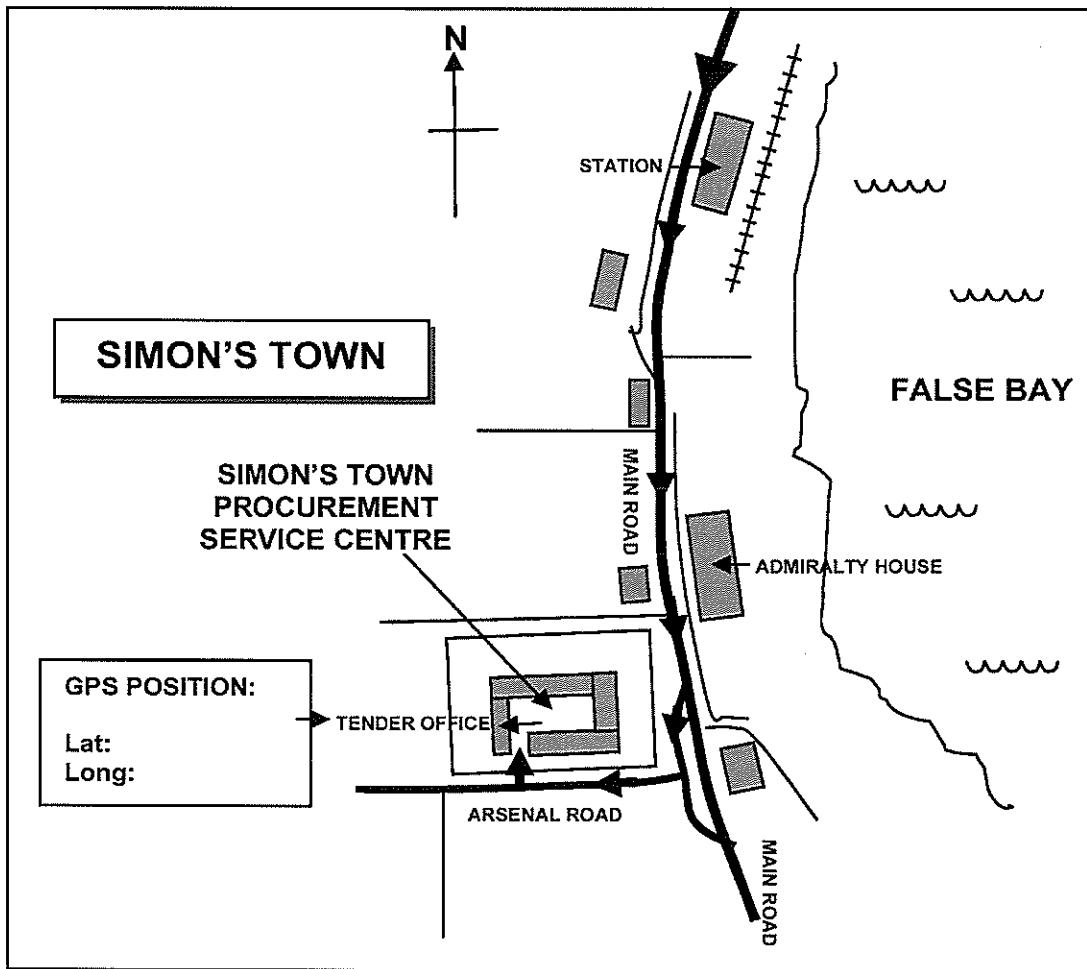
Street: Simon's Town Procurement Service Centre  
No. 2 Arsenal Road  
Simon's Town  
7995

## **BID SUBMISSIONS**

Closing period of bid: Minimum 21 days

Validity of Bid: 90 Calendar days

**GPS CO-ORDINATES TO SPSC BID BOX:** **S 34° 11. 530'**  
**E 18° 25. 591'**



# **Section A:**

## **MANDATORY AND ADMINISTRATION EVALUATION CRITERIA**

## **BID EVALUATION INSTRUCTIONS**

1. All entries are to be completed in any **non-erasable ink** of your choice preferably **Blue** or **Black** ink. Amendments, scratching out, use of Tippex and omission to any documents will Invalidate the bid.
2. Except where otherwise indicated, all questions must be completed.
3. No bids received by telegram, telex, email, facsimile or similar medium will be considered. The original bid must be deposited at the entrance (green box) or handed in at the Bid receipt section at SPSC, 2 Arsenal Road, Simon's Town.
4. The bidder is responsible for all the costs that they shall incur related to the preparation and submission of the bid document
5. All information regarding the evaluation process must be treated as confidential.
6. The **2 ENVELOPE** system will be utilized. Bidders are required to submit two separate, properly sealed envelopes, both clearly marked with the Company Name, Bid Number and Closing Date.
  - a. **Envelope 1:** Pricing Schedule, it should contain Pricing Schedule and price breakdown **ONLY**
  - b. **Envelope 2:** SBD documents, Scope of work / description and all other required documents.

**NOTE THAT IF THE DOCUMENTS ARE SUBMITTED IN ONE ENVELOPE AND NOT IN TWO ENVELOPES AS INDICATED ABOVE, THIS OFFER WILL BE INVALIDATED**

7. The bids will be evaluated according to the following criteria:
  - a. Mandatory and Administration Evaluation Criteria (Phase 1, Stage 1)
  - b. Mandatory Technical Evaluation (Phase 1, Stage 2) Scope of work / description.
  - c. Price (Phase 2) and Specific Goals Points (Phase 3)
8. This requirement will be awarded using the 80/20 principal
9. No late bids will be accepted after the closing date and time.
10. Bidders should confirm via email they will be attending the compulsory briefing session ([spscbidinvitation@gmail.com](mailto:spscbidinvitation@gmail.com)). If applicable.

## MANDATORY AND ADMINISTRATION EVALUATION CRITERIA

**Phase 1:** Bidders will be evaluated as follows

Phase 1 Stage 1: Compliance to Mandatory and Administration Criteria, bidders that do not fully comply with the evaluation criteria will be eliminated/ excluded and **will not proceed to Phase 1 Stage 2.**

S/No	Criteria
	<b>A</b>
	<b>Phase 1, Stage 1</b>
	<b>Phase 1, Stage 1, Mandatory Evaluation Criteria</b>
1.	<p><b>Pricing Schedule:</b> All fields on this document must be fully completed. Attention must be given to page 1, Bidder's Information, Total Unit Cost, Total Cost and Specific Goals must be completed. The bid must be submitted in the Two (2) envelope systems as follows:</p> <ol style="list-style-type: none"> <li><b>Envelope 1:</b> Pricing Schedule and breakdown (it should contain Pricing Schedule and breakdown <b>ONLY</b>).</li> <li><b>Envelope 2:</b> SBD documents, Scope of Work/description and all other required documents.</li> </ol> <p><b>NOTE THAT IF THE DOCUMENTS ARE SUBMITTED IN ONE ENVELOPE AND NOT IN TWO ENVELOPES AS INDICATED ABOVE, THIS OFFER WILL BE INVALIDATED</b></p> <p><b>Failure to submit these documents as indicated by the closing date and time will invalidate your offer. Appendix A</b></p>
2.	<p><b>Price breakdown:</b> This document must be fully completed and submitted in ENVELOPE 1. The price quoted must be inclusive of VAT. NB: The CAA Levy is not taxable and must be VAT exclusive. Failure to submit this document as indicated by the closing date and time <b>will invalidate your offer. Appendix B</b></p>
3.	<p><b>SBD 4 - Bidders Disclosure:</b> This document must be fully completed. Failure to submit this document as indicated by the closing date and time <b>will invalidate this offer. Appendix C</b></p>
4.	<p><b>SBD 6.1 Preference Points Claim Form:</b> This document must be fully completed. Failure to submit this document as indicated by the closing date and time <b>will forfeit your Specific Goals points. Appendix D</b></p>
5.	<p><b>Wholesale License:</b> Bidders are required to submit proof of the Wholesale License (in the name of bidding company) for the distribution of Jet A1 fuel. Failure to submit this document on the closing date and time <b>will invalidate your offer. Appendix E</b></p>

S/No	Criteria A
6.	<b>ISO 9001 Fuel / 14001 / 450001 or an equivalent accreditation.</b> Failure to submit this document (in the name of the bidding company) by the closing date and time <b>will invalidate your offer.</b> Appendix F
	<b>Phase 1, Stage 1, Administration Evaluation Criteria</b>
7.	<b>SBD 1 / Invitation to Bid:</b> This document to be fully completed. Failure to submit this document as indicated by the closing date and time <b>may invalidate this offer.</b> Appendix G
8.	<p><b>Central Suppliers Database (CSD) Full Registration/Summary Report:</b> The CSD Full Registration/Summary Report should be submitted. The supplier should be:</p> <ul style="list-style-type: none"> <li>i. Tax Compliant on day of award. If not compliant, a grace period of 7 days will be given to update this status.</li> <li>ii. Successfully verified bank details</li> <li>iii. Physical Address type</li> <li>iv. Suppliers should be registered for the commodity/service required for this bid.</li> </ul> <p>Failure to submit the CSD full Registration/Summary Report by the closing date and time <b>may invalidate this offer.</b> Appendix H</p>
9.	<b>Certificate of Compliance by sub-contractor:</b> A certificate of compliance signed by the bidder and all sub - contractor/s (in the event of sub-contracting) to be fully completed. Failure to submit this document as indicated by the closing date and time <b>may invalidate this offer.</b> Appendix I
10.	<b>SPSC Group Questionnaire:</b> This document to be fully completed. Failure to submit this document as indicated by the closing date and time <b>may invalidate this offer.</b> Appendix J
11.	<p><b>Defence Intelligence Questionnaire (D.I.)</b> The DI Vetting form to be completed in full. Failure to submit the DI Vetting form and required documentation as indicated, by the closing date and time <b>may invalidate this offer.</b></p> <p><b>N.B. The short listed companies will be requested to submit thumb prints.</b> Appendix K</p>

## MANDATORY TECHNICAL EVALUATION

Phase 1 Stage 2: Bidders must comply to Scope of Work / description. Bidders who do not will be invalidated/ excluded and will not proceed to Phase 2.

S/No	Criteria Stage 2
1.	Bidders to indicate if items conforms to specification as per description indicated.  <b>Failure to comply will invalidate this offer. Appendix L</b>

Phase 2. Only bidders who qualified on phase 1 will be evaluated on phase 2 & 3 (Price and Specific Goals)

<b>Phase 2</b>	<b>Price.</b> (Will be according to specific requirements)	<b>80/</b>
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Phase 3: Preferential points. (As per Preferential Procurement Regulations 2022) In terms of Regulation 4(2); 5(2); and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purpose of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/documentation stated in the conditions of this tender

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

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

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

TABLE 1

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 (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 (80/10 system) (To be completed by the tenderer)
51% owned by Black Women Military veterans  51% owned by Black Youth  51% owned by Black people with disability	10	20		
51% owned by Black Male Military veterans  51% owned by people with disability  51% owned by Black Women EME's	8	18		
51% owned by Women Military veterans  51% owned by Black Male EME's  51% owned by Black Women EME's  51% owned by Black Women QSE's	6	16		
51% owned by Male Military veterans  51% owned by Youth  51% owned by any other EME's  51% owned by Black Male	4	14		

QSE's				
51% owned by Women QSE's				
51% owned by any other QSE's	2	12		
Non-compliant	0	0		

**NOTE: BIDDERS ARE TO SUBMIT Sworn affidavit to substantiate the preference points claimed. Sworn Affidavit must be signed by legally recognized Commissioner of Oaths**

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

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

**Calculation of the total points scored for price and Specific Goals**

The points scored for price must be added to the points scored for Specific Goals to obtain the bidder's total points scored out of 100.



## PRICING SCHEDULE

**Pricing Schedule:** All fields on this document must be fully completed. Attention must be given to page 1, Bidder's Information, Total Unit Cost, Total Cost and Specific Goals must be completed. The bid must be submitted in the Two (2) envelope systems as follows:

- a. **Envelope 1:** Pricing Schedule and breakdown (it should contain Pricing Schedule and breakdown **ONLY**).
- b. **Envelope 2:** SBD documents, Scope of Work/description and all other required documents.

**NOTE THAT IF THE DOCUMENTS ARE SUBMITTED IN ONE ENVELOPE AND NOT IN TWO ENVELOPES AS INDICATED ABOVE, THIS OFFER WILL BE INVALIDATED**

**Failure to submit these documents as indicated by the closing date and time will invalidate your offer. Appendix A**



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Department:  
Defence  
**REPUBLIC OF SOUTH AFRICA**

Request for Bid : SPSC-B-032-2023

Author: Wendy Cooper  
Date: 1/13/2023 12:42:15

## PRICING SCHEDULE

Bid No.	SPSC-B-032-2023
Document No.	0000505086
Description:	JET A 1 FUEL
Currency:	ZAR
Closing Date:	2023-12-05 11:00:00
Status:	Created
Validity Days:	1

Document Type: Company Name: Attention: Tel No: Fax No: Cell No: Email:

## Request for Bid Open

— — — — —

Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
99-963-1771	SUPPLY AND DELIVERY OF JET A1 FUEL	AF BASE OVERBERG	Overberg	Litre	
	Line Comment				
NB - STAGGERED DELIVERY, QTY 40 000 LITRES PER DELIVERY		Lead Time	Quantity Required	Quantity Available	
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs			40000		
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

Indicate Lead Time for all Items (Days)

The following conditions are hereby accepted:  
"Standard Terms and Conditions" or "General Conditions of Contract" Available on Websites () or attached.

The awarding of the price quotation as determined by (Department of Defence).

The following is hereby certified:

This offer is correct and any mistakes will be at my risk.

I accept responsibility for the execution of all obligations entrusted upon me.

I did not participate in any collusive practices with any other supplier or any other person regarding this price quotation or any other price quotation.

I am duly authorized to sign the price quotation.

The offer is inclusive of value Added Tax

Name: ..... Capacity: .....

Signature: ..... Date: .....

		Grand Total Including Vat:
Price Firm Y/N	Brand & Model	
Do You Accept Government Orders Y/N	Delivery Period Firm Y/N	
Comply with Specification Y/N	If Not, Deviations	

**Questionnaires**

**Questionnaires / Evaluation Criteria**

**THE 80/20 QUESTIONNAIRE EVALUATION TEMPLATE v2**

**Questions**

Options	LEVEL1	LEVEL2	LEVEL3	LEVEL4	LEVEL5	LEVEL6
█	█	█	█	█	█	█

**Level 1: 51% owned by Black Women Military veterans / 51% owned by Black youth / 51% owned by Black people with disability**

**Level 2: 51% owned by Black Male Military veterans / 51% owned by people with disability / 51% owned by Black Women EMES**

**Level 3: 51% owned by Women Military veterans / 51% owned by Black Male EMES / 51% owned by Black Women QSEs/51% owned by Women EMES**

<p><b>Level 4: 51% owned by Male Military veterans / 51% owned by youth / 51% owned by any other EMEs/ 51% owned by Black Male QSEs / 51% owned by Women QSEs</b></p> <p><b>Level 5: 51% owned by any other QSEs</b></p>	<p><b>LEVEL?</b></p> <p><input type="checkbox"/> LEVEL?</p> <p><input type="checkbox"/> LEVEL!</p> <p><input type="checkbox"/> NON-COMPLANT</p>
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**Attachment File Name**

**Attachment Description**



## PRICING BREAKDOWN

**Price breakdown:** This document must be fully completed and submitted in ENVELOPE 1. The price quoted must be inclusive of VAT. NB: The CAA Levy is not taxable and must be VAT exclusive. Failure to submit this document as indicated by the closing date and time **will invalidate your offer. Appendix B**

**Failure to submit these documents as indicated by the closing date and time will invalidate your offer. Appendix B**



Appendix B

## PRICE BREAKDOWN:

**BID NUMBER:** SPSC-B-032-2023

**CLOSING DATE:** 05 DECEMBER 2023

**TIME:** 11H00

**VALIDITY:** 90 CALENDAR DAYS

**DELIVERY TO:** AIRFORCE BASE OVERBERG

**DESCRIPTION:** JET A1

**Wholesale price in the RSA:** Effective: NOVEMBER 2023

ZONE:	6A	WHOLESALE PRICE	R

You are hereby requested to provide your price breakdown as follows:

ZONE	WHOLESALE PRICE PER LITRE	MARK UP PRICE PER LITRE	TOTAL UNIT PRICE PER LITRE	CAA LEVY PER LITRE	TOTAL PRICE PER LITRE
6A					

**TOTAL PRICE PER LITRE:** R.....

**PURCHASING QTY:** 80 000 LITRES

**TOTAL PRICE:** R.....

TOTAL UNIT COSTS IN ZAR CURRENCY, INCLUDING VAT AND ALL DELIVERY COSTS. NB: CAA LEVY IS NOT TAXABLE AND MUST BE VAT EXCLUSIVE.

TOTAL COST IN ZAR CURRENCY, INCLUDING VAT AND ALL DELIVERY COSTS.

**Failure to submit this document as indicated by the closing date and time may invalidate this bid. Appendix B**



## SBD 4: BIDDERS DISCLOSURE

**SBD 4 - Bidders Disclosure:** This document must be fully completed. Failure to submit this document as indicated by the closing date and time **will invalidate this offer. Appendix C**

**Failure to submit the document as indicated by the closing date and time will invalidate this offer. Appendix C**

## 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<sup>1</sup> in the enterprise, employed by the state? YES/NO

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State Institution

2.2 Do you, or any person connected with the bidder, have a relationship

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<sup>1</sup> 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.

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, ..... in  
(name) .....  
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 consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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<sup>2</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.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder



## **SBD 6.1: PREFERENCE POINTS CLAIM FORM**

**SBD 6.1 -Preference Points Claim Form:** This document must be fully completed. Failure to submit this document as indicated by the closing date and time **will forfeit your Specific Goals points. Appendix D**

**Failure to complete the document as indicated by the closing date and time will forfeit your Specific Goals points. Appendix D**

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL  
PROCUREMENT REGULATIONS 2022**

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

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

**1. GENERAL CONDITIONS**

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

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

1.2 **To be completed by the organ of state**  
*(delete whichever is not applicable for this tender).*

a) The applicable preference point system for this tender is the 90/10 preference point system.

b) The applicable preference point system for this tender is the 80/20 preference point system.

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

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

(a) Price; and

(b) Specific Goals.

**1.4 To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

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

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

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

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20	or	90/10
-------	----	-------

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

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

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

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 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
  - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

**THE TENDERER IS TO PICK ONLY ONE SPECIFIC GOAL**

Status Level	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)
Level 1	51% owned by Black Women Military veterans or 51% owned by Black Youth or 51% owned by Black people with disability	10	20		
Level 2	51% owned by Black Male Military veterans or 51% owned by people with disability or 51% owned by Black Women EME's	8	18		

Level 3	51% owned by Women Military veterans or 51% owned by Black Male EMEs or 51% owned by Women EMEs or 51% owned by Black Women QSEs	6	16		
Level 4	51% owned by Male Military veterans or 51% owned by Youth or 51% owned by any other EMEs or 51% owned by Black Male QSEs or 51% owned by Women QSEs	4	14		
Level 5	51% owned by any other QSEs	2	12		
Level 6		Not Applicable			
Level 7		Not Applicable			
Level 8	Non-compliant	0	0		

**NOTE:** Bidders are to submit Sworn Affidavit to substantiate the preference points claimed. Sworn Affidavit must be signed by legally recognized Commissioner of Oath.

## 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 proprietor
- 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.

**NOTE:** The Department of Defence reserves the right to verify the truthfulness of the claims (par 4.6 iii).

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: .....

DATE: .....

ADDRESS: .....

.....

.....



## WHOLESALE LICENSE

**Wholesale License:** Bidders are required to submit proof of the Wholesale License (in the name of bidding company) for the distribution of Jet A1 fuel. Failure to submit this document on the closing date and time **will invalidate your offer. Appendix E**

**Failure to submit these documents as indicated by the closing date and time will invalidate your offer. Appendix E**



## **ISO 9001 Fuel / 14001 / 450001 or an equivalent accreditation**

**ISO 9001 Fuel / 14001 / 450001 or an equivalent accreditation.** Failure to submit this document (in the name of the bidding company) by the closing date and time **will invalidate your offer. Appendix F**

**Failure to submit these documents as indicated by the closing date and time will invalidate your offer. Appendix F**



## **SBD 1: INVITATION TO BID**

**SBD 1 / Invitation to Bid:** This document to be fully completed. Failure to submit this document as indicated by the closing date and time **may invalidate this offer.** **Appendix G**

**Failure to submit this document as indicated by the closing date and time may invalidate this offer. Appendix G**

**PART A**  
**INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>				
BID NUMBER:	SPSC-B-032-2023	CLOSING DATE:	05 DECEMBER 2023	CLOSING TIME:
DESCRIPTION	11H00 SUPPLY AND DELIVERY OF JET A1 FUEL TO AIRFORCE BASE OVERBERG			
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)				
DOCUMENTS TO BE DEPOSITED AT THE ENTRANCE (GREEN BOX) SIMON'S TOWN PROCUREMENT SERVICE CENTRE, NO: 2 ARSENAL ROAD, SIMON'S TOWN OR HANDED IN AT THE BID RECEPTION SECTION, NO: 2 ARSENAL ROAD, SIMON'S TOWN (DIRECTIONS TO THE ABOVE ADDRESS AVAILABLE WITH THE BID DOCUMENTS)				
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	CHIEF PETTY OFFICER M. CLAASSEN	CONTACT PERSON	WARRANT OFFICER CLASS 1 T. TSOGANG	
TELEPHONE NUMBER	021 787 5207 / 5131	TELEPHONE NUMBER	021 787 5207	
FACSIMILE NUMBER		FACSIMILE NUMBER		
E-MAIL ADDRESS	spscinvitation@gmail.com	E-MAIL ADDRESS	spsctechsection@gmail.com	
<b>SUPPLIER INFORMATION</b>				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No: MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSURE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES 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**

**1. BID SUBMISSION:**

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).

**2. TAX COMPLIANCE REQUIREMENTS**

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER: .....

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

DATE: .....



## **CENTRAL SUPPLIER DATA BASE (CSD) FULL REGISTRATION/SUMMARY REPORT**

**Central Suppliers Database (CSD) Full Registration/Summary Report:** The CSD Full Registration/Summary Report should be submitted. The supplier should be:

- i. Tax Compliant on day of award. If not compliant, a grace period of 7 days will be given to update this status.
- ii. Successfully verified bank details
- iii. Physical Address type
- iv. Suppliers should be registered for the commodity/service required for this bid

**Failure to submit the CSD full Registration/Summary Report by the closing date and time may invalidate this offer. Appendix H**



## **CERTIFICATE OF COMPLIANCE BY SUB-CONTRACTOR/S**

A certificate of compliance signed by the bidder and all sub - contractor/s (in the event of sub-contracting) to be fully completed. Failure to submit this document as indicated by the closing date and time **may invalidate this offer.** Appendix I

**Failure to submit this document as indicated by the closing date and time may invalidate this offer. Appendix I**

**CERTIFICATE OF COMPLIANCE BY SUB-CONTRACTOR / SUPPLIER**

THIS CERTIFICATE MUST BE SUBMITTED WITH THE COMPLETED BID (IN THE ORIGINAL FORMAT) BY THE BIDDER

**CONTRACTORS NAME:** \_\_\_\_\_

**SUB-CONTRACTORS NAME:** \_\_\_\_\_  
*(Delete whichever is not applicable)*

I/we am/are fully aware of the Bid Requirements and am/are capable of supplying the required item(s)/service(s) strictly according to the Bid Conditions, Special Conditions and Specifications supplied by the Department of Defence. I/we hereby certify that \_\_\_\_\_ will submit quotations/bids to \_\_\_\_\_

Supply the item(s)/service(s) listed in Bid no: \_\_\_\_\_

Section(s) \_\_\_\_\_

I/we further certify that I/we have the necessary infrastructure at my/our disposal to execute the Bid.

I/we, the Sub-contractor(s) am/are willing to allow the Department of Defence's Officials access to my/our premises for inspection purposes.

Sub-Contractor's Contact Person: \_\_\_\_\_

Address of Sub-Contractor: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone No: \_\_\_\_\_

Fax No: \_\_\_\_\_

SIGNATURE OF SUB-CONTRACTOR

**WITNESSES:**

1. \_\_\_\_\_ Date: \_\_\_\_\_

2. \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_



## SPSC GROUP QUESTIONNAIRE

**SPSC Group Questionnaire:** This document to be fully completed. Failure to submit this document as indicated by the closing date and time **may invalidate this offer.**  
**Appendix J**

**Failure to submit this document as indicated by the closing date and time may invalidate this offer. Appendix J**

SIMON'S TOWN PROCUREMENT SERVICE CENTRE

**CLOSING DATE OF BID:** 05 DECEMBER 2023  
**CLOSING TIME OF BID:** 11H00

**BID NUMBER:** SPSC-B-032-2023  
**VALIDITY:** 90 CALENDAR DAYS

---

GROUP QUESTIONNAIRE

---

Circle applicable response and delete not applicable response.

Service required in: **AIR FORCE BASE OVERBERG**

Do you confirm compliance to 90 calendar days validity period? YES / NO

If not, state reason/s.....

Is your price firm for the validity period of 90 calendar days? YES / NO

If not, state reason/s.....

Are you registered with the Department of Energy? YES / NO

Have you attached your Wholesale License (in the name of the bidding company) for the distribution of Jet A1 fuel? YES / NO

Have you attached your proof of ISO 9001 FUEL /14001 / 45001 or equivalent accreditation (in the name of the bidding company) for the distribution of Jet A1 fuel? YES / NO

Do you comply with transportation of fuel as stipulated in National Road Traffic Act of 1996? YES / NO

Preferred delivery period is two (2) weeks or less after receipt of order due to the end of financial year budgetary constraints. Lead Time/Delivery period required by supplier after receipt of order to be indicate:

Eg. days, weeks .....

Copies of General Bid Conditions and General Conditions of Contract are available from the National Treasury Website ([www.treasury.gov.za](http://www.treasury.gov.za))

Do you confirm compliance to the Special Conditions of Contract, General Bid Conditions and General Conditions of Contract YES / NO

Do you confirm that you may sign a SBD 7.1 on award, YES / NO  
General Information

Bid Documents: have you made/kept a copy of completed Bid documents for reference purposes: YES / NO

Clarification of Information: It has been noted and confirmed that the DOD may request clarification on any information regarding any aspect included in the bid document. The bidder is to supply the requested information within the requested time span. Failing may result in the bid being disqualified.

**ADMINISTRATION**

**Bidders are requested to number each page of the Bid Document submitted. Pages are to be numbered from the bottom page to the top page (top right hand corner)**

SIMON'S TOWN PROCUREMENT SERVICE CENTRE

**CLOSING DATE OF BID:** 05 DECEMBER 2023  
**CLOSING TIME OF BID:** 11H00

**BID NUMBER:** SPSC-B-032-2023  
**VALIDITY:** 90 CALENDAR DAYS

---

NB: SPSC RESERVES THE RIGHT TO RECALL THE BIDDER/S TO COMPLY WITH THE ABOVE  
ADMINISTRATION INSTRUCTION

I/WE HEREBY CONFIRM THAT I/WE HAVE COMPLIED WITH ALL OF THE ABOVE  
REQUIREMENTS

WITNESS 1: ..... DATE: .....

WITNESS 2: ..... DATE: .....

BIDDER NAME: .....

SIGNATURE..... DATE:.....

Capacity under which this bid is signed .....



## DEFENCE INTELLIGENCE QUESTIONNAIRE (D.I.)

**Defence Intelligence Questionnaire (D.I.)** The DI Vetting form must be completed in full. Failure to submit the DI Vetting form and required documentation as indicated by the closing date and time **may invalidate this offer**.

**N.B. The short listed companies will be requested to submit thumb prints.**  
**Appendix K**

**Failure to submit the DI Vetting form and required documentation as indicated by the closing date and time may invalidate this offer.**

**N.B. The short listed companies will be requested to submit thumb prints.** **Appendix K**

# DEPARTMENT OF DEFENCE INTELLIGENCE (DI) VETTING

TO DI SEC INSTR/01/2014

## QUESTIONNAIRE:

## MAIN CONTRACTOR

Company Name: .....

Company Registration Number: .....

DOD Supplier Code (if already registered with the DOD): .....

Personal particulars of Company Director(s) (Include copy of RSA Identification and passport document):

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Personal particulars of Foreign Nationals employed by the company (incl copy of ID / passport and working visa/ documentation)

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Company Physical Address: .....

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Company Postal Address:

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### Company Core Business:

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## **SECTION B**

## **SUB CONTRACTORS DETAILS**

Personal particulars of sub-contractors if any (Include copy of RSA Identification and passport documents):

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Personal particulars of Foreign Nationals employed by the company (incl copy of ID / passport and working visa/ documentation)

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**Sub Contractors Company Physical Address:**

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**Sub Contractors Company Postal Address:**

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**Sub Contractors Company Core Business:**

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## **SECTION C**

### **MAIN CONTRACTOR**

1. When did the company begin with its operations?

Answer: .....

2. Does the company have a valid SARS tax clearance certificate? If yes, provide the tax clearance certificate number and the certified copy of the certificate.

Answer: .....

3. Is the company registered with the Company and Intellectual Property Commission (CIPC)? If yes, provide the registration number and attach a certified copy of the registration certificate.

Answer: .....

4. Who are the shareholders of the company and what percentage of shares do they each possess?

Answer: .....

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.....

5. List the services that will be rendered by the company to the SANDF?

Answer: .....

.....  
.....

6. Which DOD installations/unit and specific area/section does the company required access to?

Answer: .....

.....  
.....

7. Name list and copies of RSA ID's / passports of all employees entering the DOD installation.

Answer: .....

.....

.....

8. Does the company provide services to other RSA state departments? If yes, provide the names of the departments and the period/s during which service was provided.

Answer: .....

.....

.....

9. Does the company provide services to foreign governments and/or companies? If so, provide details.

Answer: .....

.....

.....

10. Has the company been implicated in any fraudulent activities? If yes, provide details.

Answer: .....

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11. Has the company been implicated in any corrupt practices? If yes, provide details.

Answer: .....

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12. Has the company been implicated in any other criminal activity? If yes, provide details.

Answer: .....

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13. Does the company have the Employment Equity Plan? If yes, provide the Employment Equity Plan as well as the number and composition of the employees. (Only if the company is South African or employs South Africans)

Answer: .....

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14. What is the track record and achievements of the company? Provide details.

Answer: .....

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15. Is the company under investigation by any government security agency? If yes, provide details.

Answer: .....

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16. What known factor could possibly prevent this company from entering into contract with the Department of Defence and Military Veterans or any component thereof and why?

Answer: .....

.....  
.....

**Compiled by:**

**Name:** .....

**Identification Number:** .....

**Position in Company:** .....

**Signature:** .....

**Date:** .....

**NB: Important; The following documentation is Mandatory and is to be included in the DI vetting declaration**

- *The profiles of the Director(s) of the Main Contractor and Sub- Contractors as well as their RSA Identification and passport documents.*
- *The current Financial Statement(s) of the company.*
- *The current and valid SARS Tax Clearance Certificate.*
- *The current and valid SARS Personal Tax Clearance Certificate and or IRP6 of all Directors, Shareholders and Members (Sub-Contractor/s included).*
- *The registration number and attach a certified copy of the registration certificate with the Company and Intellectual Property Commission (CIPC).*
- *Central Data Base registration report with MAAA and Unique number.*
- *Name list and RSA IDs of all personnel entering DOD premises.*
- *Foreign Nationals employed by the company (incl copy of ID / passport and working visa/ documentation).*
- *Employment Equity Plan as well as the number and composition of the employees. (Only if the company is South African or employs South Africans).*

# **SECTION B**

## **MANDATORY TECHNICAL**



## MANDATORY TECHNICAL EVALUATION

**Bidders to indicate if the item conforms to specification as per the description indicated. If item offered does not comply to specification, bidders are to indicate the deviation/s**

**Failure to submit this document as indicated by the closing date and time may invalidate this offer. Appendix L**



## DESCRIPTION

LINE 1: 9130-99-943-1771

SUPPLY AND DELIVERY OF JET A1

DOES THE ITEM OFFERED CONFORM TO SPECIFICATION

YES / NO

IF NO STATE DEVIATIONS .....

**Failure to submit this document as indicated by the closing date and time may invalidate this bid. Appendix L**

# **Section C**

## **SPECIAL CONDITIONS OF CONTRACT**

**ONLY THESE DOCUMENTS DO NOT HAVE TO BE  
RETURNED WITH BID**

**DEPARTMENT OF DEFENCE**

**SPECIAL CONDITIONS OF CONTRACT**

**(SCCs)**

**TABLE OF CLAUSES**

1. Changed Requirement
2. Co-ordinated activities
3. Contractor's Personnel
4. Value Added Tax (VAT)
5. Damage Compensation
6. Waiver
7. Severability
8. Sub-contracting

## **SPECIAL CONDITIONS OF CONTRACT**

### **CHANGED REQUIREMENT**

1. If Department of Defence institutions participating in this contract are disbanded or relocated or for reasons unknown at the time of concluding the contract, the Department of Defence reserves the right to cancel the contract or parts thereof on written notice of 90 days sent to the contractor at the address appearing in the contract.

### **CO-ORDINATED ACTIVITIES**

2. Whilst on Department of Defence premises, personnel of the contractor will have access to all areas, subject to other stipulations in the relevant contract, to render the services. If the contractor's service is not rendered in a specific area at a given time, access to that area is forbidden.
3. The work to be executed must under no circumstances disrupt the routine activities taking place in the institution or on the premises where the service is to be provided.

### **CONTRACTOR'S PERSONNEL**

4. **Identification.** To identify the contractor's personnel on the premises of the Department of Defence, the personnel will comply with the following, with any costs for the account of the contractor:
  - a. Personnel will wear company identification cards with an employee photograph on it, conspicuously on his/her person at all times;
  - b. Personnel will wear identifiable uniforms whilst on duty.
5. **Attitude towards Safety, Health, Security and Service Delivery.** Without prejudice to the contractor's responsibility and right to select and appoint his/her own personnel, the Department of Defence will at all times have the right to identify personnel of the contractor whom are considered to be safety and/or health and/or security risk and/or personnel whom are undesirable. In such case the contractor will be requested not to utilise such person(s) any longer to honour his/her obligations in terms of this contract. The contractor will immediately comply with the request and he/she will not, as a result of such a request, be entitled to institute any claim against the Department of Defence for any loss or otherwise suffered as a result of such a request. The contractor therefore indemnifies the Department of Defence against any claim whatsoever from the employee concerned.
6. **Name List.** The contractor must submit a complete name list of all personnel to be employed on Department of Defence premises to provide the service according to the contract, to the Department of Defence official at the institution or on the premises where the service is to be provided, who will arrange for entry permits for the contractor. Any changes to the personnel must be communicated to the designated official without delay.
7. **Personnel on Site.** The contractor must ensure that the total number of personnel offered for the execution of this contract is on duty on a daily basis. Provision must therefore be

made for temporary or stand-in personnel for cases where personnel are on leave or sick

#### **VALUE ADDED TAX (VAT)**

8. All monies paid in terms of this bid is subject to value added tax calculated at the appropriate tariff from time to time as provided for in the Value Added Tax Act, Act 89 of 1991, the schedules thereto and Rulings as issued by the South African Revenue Services in regard to value added tax.

#### **DAMAGE COMPENSATION**

9. The contractor herewith indemnifies the Department of Defence from any claim that may arise from a third party and all costs or legal expenses in this regard, to such a claim for loss or damage resulting from the death, injuries or disability of any such person(s), or the damage to property of the contractor or any other person(s) that may result from or be related to the execution of this contract.
10. The contractor will be held responsible for any damage or theft that may be caused, to the premises or content by him or his employees or be due to their neglect whether in the normal execution of their duties or otherwise and a claim for indemnification can accordingly be imposed by the Department of Defence against the contractor.
11. In the case of damages to premises or content resulting from the work done, the contractor will undertake to rectify the damage immediately to the satisfaction of the Department of Defence. If the contractor fails to act immediately after notification, the Department of Defence will rectify the damage at will and the cost thereof will be recovered from any moneys outstanding.
12. The Department of Defence and its employees will not be held responsible for any claim or injury to the contractor's personnel whilst on Department of Defence property or in the execution of their tasks on Department of Defence property.

#### **WAIVER**

13. No waiver of any of the terms and conditions of the contract will be binding or effectual for any purpose unless expressed in writing and signed by the parties thereto, and any such waiver will be effective only in specific instances and for the purpose given. No failure or delay on the part of either party in exercising any right, power or privilege hereunder will operate as a waiver thereof, nor will any single or partial exercise of any right, power or privilege preclude any other or further exercise thereof or the exercise of any other right,

#### **SEVERABILITY**

14. Should any of the terms and conditions of the Contract be held to be invalid or unlawful, such terms and conditions will be severable from the remaining terms and conditions, which will continue to be valid and enforceable.

## SUB-CONTRACTING

15. In the event that sub-contractors are used to execute the contract or part thereof, the following shall apply:

- a. Prior Approval. Once the contract has been concluded, the contractor shall obtain prior approval from the Department of Defence before the appointment of any sub-contractor.
- b. Payment. The contractor shall remain liable to reimburse the sub-contractors for goods delivered or services rendered to the Department of Defence.