



Request for Quotations for the Provision of the following services: Supply and Installation of FM200 Gas Bottles (Once-Off) at Airports Company South Africa's King Shaka International Airport.

RFQ Number:	:	26971
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Issue Date	:	31st of January 2022
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Closing Date	:	16th of February 2022 at 13:00
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Briefing Session Date and Time	:	Not Applicable
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Company Name	:	
CSD Number	:	
Contact Person	:	
Bidders Details/ Stamp	:	

1. SECTION 1: INSTRUCTIONS TO BIDDERS

1.1. Submission of RFQ documents

The documents must be signed and completed by a person who has been given authority to act on behalf of the bidder. The bottom of each page of the bid documents must be signed or stamped with the bidder's stamp as proof that the bidder has read the tender documents.

1.1.1 Submissions:

- The bid documents must be sent to the following email address: tenders4.ksia@airports.co.za

1.1.2 Submission Instructions:

- All bid submissions must be emailed and NOT to be hand delivered.
- Bid reference number to be quoted for every correspondence for this tender.
- Submissions maybe separated into different emails (*Example: Batch 1 of 4 etc...*)
- Bidder are encouraged to submit before the closing date and time.

1.2. Late Bids

Bids which are submitted after the closing date and time will not be accepted.

1.3. Clarification and Communication

Name:	Nhlakanipho Mbuyisa
Designation:	Buyer
Tel:	032 436 6000
Email:	tenders4.ksia@airports.co.za

1.3.1. Request for clarity or information on the RFQ may only be requested until 16:00 on 9th of February 2022. Any responses to queries or for clarity sought by a bidder will also be sent to all the other entities which would have responded to the Request For Quotation.

1.3.2. Bidders may not contact any ACSA employee on this tender other than those listed above. Contact will only be allowed between the successful bidder and ACSA Business Unit representatives after the approval of a recommendation to award this tender. Contact will also only be permissible in the case of pre-existing commercial relations which do not pertain to the subject of this tender.

1.4. Bid Responses

Bid responses must be strictly prepared and returned in accordance with this tender document. Bidders may be disqualified where they have not materially complied with any of ACSA's requirements in terms of this tender document. Changes to the bidder's submission will not be allowed after the closing date of the

tender. All bid responses will be regarded as offers unless the bidder indicates otherwise. No bidder or any of its consortium/joint venture members may have an interest in any of the other bidder/joint venture/consortium participating in this bid.

Disclaimers

It must be noted that ACSA reserves its right to:

- 1.4.1. Award the whole or a part of this tender;
- 1.4.2. Split the award of this tender;
- 1.4.3. Negotiate with all or some of the shortlisted bidders;
- 1.4.4. Award the tender to a bidder other than the highest scoring bidder where objective criteria allow;
- 1.4.5. To reject the lowest acceptable tender received; and/or
- 1.4.6. Cancel this tender.

1.5. Validity Period

- 1.5.1. ACSA requires a validity period of (120) working days for this tender.
- 1.5.2. During the validity period the prices which have been quoted by the bidder must remain firm and valid. It is only in exceptional circumstances where ACSA would accommodate a proposal to change the price.

1.6. Confidentiality of Information

- 1.6.1. ACSA will not disclose any information disclosed to ACSA through this tender process to a third party or any other bidder without any written approval from the bidder whose information is sought. Furthermore,
- 1.6.2. ACSA will not disclose the names of bidders until the tender process has been finalised.
- 1.6.3. Bidders may not disclose any information given to the bidders as part of this tender process to any third party without the written approval from ACSA. In the event that the bidder requires to consult with third parties on the tender, such third parties must complete confidentiality agreements, which should also be returned to ACSA **with the bid**.

1.7. Hot – Line

ACSA subscribes to fair and just administrative processes. ACSA therefore urges its clients, suppliers and the general public to report any fraud or corruption to:

Airports Company South Africa TIP-OFFS ANONYMOUS

Free Call: 0800 00 80 80

Free Fax: 0800 00 77 88

Email: acsa@tip-offs.com

2. **SECTION 2: LOCAL CONTENT AND PRODUCTION (IF APPLICABLE)**

2.1. **Introduction**

In terms of the PPPFA bids in respect of goods, services or works that have been designated for local production and content, must contain a specific bidding condition that only locally produced goods, services or works or locally manufactured goods with a stipulated minimum threshold for local content and production will be considered. This tender falls within a designated sector and ACSA is therefore required to stipulate the minimum threshold for local production and content. The minimum threshold for local content and production for this tender is _____ of the bid price. Any bidder who fails to meet the minimum threshold for local production and content will be disqualified from the process. To this end, bidders must complete a declaration certificate for local content and production (SBD 6.2) which is Annexure of this tender document. Failure to return a completed SBD 6.2 form will make a bidder liable for disqualification.

2.2. **Calculation of local content and production**

Local content means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place. Imported content means the portion of the bid price represented by the cost the cost of components, parts or materials which have been or are still imported (whether by the supplier or its sub-contractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs, such as landing costs, dock dues, import duty, sales duty or other similar tax or duty at the South African port of entry. The South African Bureau of Standards (SABS) approved technical specification number SATS 1286:201x will be used to calculate local content. The formula to be used to calculate local content is as follows:

$$LC = 1 \left(\frac{X}{Y} \right) \times 100$$

Where:

X represents imported content

Y represents bid price excluding value added tax

Prices referred to in the determination of x will be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid.

2.3. Declaration certificate for local production and content (SBD 6.2)

- 2.3.1. This Standard Bidding Document (SBD) must form part of all invited bids. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).
- 2.3.2. Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the PPPFA and the SABS approved technical specification number SATS 1286:201x.

2.4. General Conditions

- 2.4.1. PPPFA (Regulation 8 makes provision for the promotion of local production and content.
- 2.4.2. Regulation 8(2) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 2.4.3. Where necessary, for bids referred to in paragraphs 2.4.2, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 2.4.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 2.4.5. A bid will be disqualified if:
 - 2.4.5.1. The bidder fails to achieve the stipulated minimum threshold for local production and content indicated in paragraph 2.6 below; and
 - 2.4.5.2. The completed SBD 6.2 form together with its declaration, is not submitted as part of the bid documentation.

2.5. Definitions

- 2.5.1. **“Bid”** means a written offer in a prescribed or stipulated form in response to an invitation by ACSA for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;

- 2.5.2. **“Bid Price”** price offered by the bidder, excluding value added tax (VAT);
- 2.5.3. **“Contract”** means the agreement that results from the acceptance of a bid by an ACSA;
- 2.5.4. **“Designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 2.5.5. **“Duly Sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility(close corporation, partnership or individual).
- 2.5.6. **“Imported Content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.5.7. **“Local Content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.5.8. **“Stipulated Minimum Threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.5.9. **“Sub-Contract”** means the primary contractor’s assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.

2.6. The stipulated minimum threshold(s) for local production and content for this bid is/are as follows:

<u>Description of service, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

2.7. Does any portion of the services, works or goods offered have any imported content? YES/NO

2.8. If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 2.3 above must be the rate(s) published by SARB for the specific currency at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid.

2.9. The relevant rates of exchange information is accessible on www.reservebank.co.za.

2.10. The rate(s) of exchange against the appropriate currency is as follows:

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate(s) of exchange used.

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER / PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF RFQ No. _____

ISSUED BY: (Airports Company South Africa SOC Ltd):

NB: The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

I, the undersigned, _____ (full names),
do hereby declare, in my capacity as _____
of _____ (name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286.
- (c) The local content has been calculated using the formula given in clause 3 of SATS 1286, the rates of exchange indicated in paragraph 2.3 above and the following figures:

Bid price, excluding VAT (y)	R...
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Imported content (x)	R...
Stipulated minimum threshold for Local content (paragraph 2.6 above)	
Local content % , as calculated in terms of SATS 1286	

If the bid is for more than one product, a schedule of the local content by product shall be attached.

- (d) I accept that the Airports Company South Africa SOC Ltd has the right to request that the local content be verified in terms of the requirements of SATS 1286.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286, may result in the Airports Company South Africa SOC Ltd imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Procurement Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE:	_____	DATE:	_____
WITNESS No.1:	_____	DATE:	_____
WITNESS No 2:	_____	DATE:	_____

3. SECTION 2: BACKGROUND, PURPOSE AND SCOPE OF WORK

3.1. Background

- 3.1.1. Since inception approximately 20 years ago, Airports Company South Africa Limited (ACSA) has transformed into a focused, profitable and commercial enterprise that is market-driven and customer service oriented. The principal ACSA sites comprise of major international airports namely O.R. Tambo (ORTIA), Cape Town (CTIA) and King Shaka (KSIA). The other sites are, Bram Fischer (Bram), Upington (UTN), Port Elizabeth (PLZ), East London Airport, George Airport, Kimberley Airport and the Corporate Office.
- 3.1.2. The sustained growth in traffic over the years, coupled with a creative and performance focused management and leadership team have contributed to the Company's excellent financial performance over time. This has enabled the Company to transform South Africa's airports into world-class airports, delivering value for customers, stakeholders, shareholders and employees.
- 3.1.3. ACSA is focused on creating and operating world-class airports measuring up to international standards. Numerous international awards won by certain of its airports over the years confirm that the Company has largely succeeded in this aim. This is also shown in the latest ratings for example, O.R. Tambo, Cape Town and King Shaka international airports rated first, second and third respectively in the Best Airport ACI-ASQ awards for Africa

Minimum Requirements					
Bidding entity must provide the following documents to be considered for evaluation:					
<ul style="list-style-type: none">• Provide proof of Central Supplier Database report.• Provide a tax pin• Provide a certified copy of B-BBEE Certificate OR Sworn Affidavit if your business is deemed as EME OR QSE. Failure to provide a valid B-BBEE Certificate or valid sworn affidavit preference points for B-BBEE cannot be claimed therefore zero (0) points will be allocated.					
Functionality Requirements					
#	Evaluation Criteria	Sub-Criteria	Sub-Points	Total Weighted Points	Threshold Points
1.	Key Personnel: Technician				
	Please provide: Bidder to provide proof of qualification for Technician.	a) SAQCC registered	25	25	25
		b) No proof of qualification	0		
2.	Key Personnel: Technician Assistant				
	Please provide: Bidder to provide proof of qualification for Technical Assistant.	a) SAQCC Registered	25	25	25
		b) No proof of qualification	0		
3.	COMPANY EXPERIENCE				
3.1	TRACEABLE REFERENCE LETTERS				
	Bidding entity to provide at least a minimum of two (2) traceable reference letters for Supply and Install FM200 Gas Bottles that previously executed by the bidding entity.	a) Three (3) traceable reference letters provided.	30	30	
		b) Two (2) traceable reference letters provided.	20		20
		c) One (1) traceable reference letter	10		
		d) No traceable reference letter/ Irrelevant letter	0		
3.2	FDIA OR FSIB REGISTRATION				
	Bidding entity to provide proof of certificate/registration.	a) Registered with FDIA OR FSIB.	20	20	20
		b) Not registered with FDIA OR FSIB.	0		
Bidders must score a minimum Threshold Point per criteria and a minimum of <u>90</u> out of 100 points to be considered for further evaluation.					

Scope of work and pricing schedule					
Airports Company South Africa requires a reputable service provider for supply and installation of FM200 Gas Bottles at King Shaka International Airport.					
Item	Item Description	Unit of Measure	Qty	Unit Price	Price Excluding Vat
1.	175L LV Switchgear Room-Basement	Each	2	R	R
2.	45L Transformer Room Chamber- A1	Each	2	R	R
3.	45L LV Chamber Room- Terminal Basement	Each	3	R	R
4.	45 L M1 Main Intake Substation- Terminal Basement	Each	3	R	R
5.	175L UPS Room 1- Terminal Basement	Each	5	R	R
6.	45L UPS Room 1- Terminal Basement	Each	2	R	R
7.	100L UPS Room 1- Terminal Basement	Each	1	R	R
8.	25L 107 Storeroom- Basement	Each	2	R	R
9.	45L Core Room 1 WC01	Each	3	R	R
10.	175L Core Room 1 WC01	Each	1	R	R
11.	175L Core Room 2 WC03	Each	1	R	R
12.	45L Core Room 2 WC03	Each	3	R	R
13.	100L Core Room 2 WC03	Each	1	R	R
14.	45L UPS Room 2- Terminal Basement	Each	4	R	R
15.	175L UPS Room 2- Terminal Basement	Each	1	R	R
16.	45L Neotel Room- Terminal Basement	Each	4	R	R
17.	45L Telkom Room- Terminal Basement	Each	4	R	R
18.	45L PFC Room- Terminal Basement	Each	2	R	R
19.	100L SETA Core Room 1	Each	1	R	R
20.	45L SETA Core Room 1	Each	1	R	R
21.	45L SETA Core Room 2	Each	2	R	R
22.	45L 108 Store room- Terminal Basement	Each	2	R	R
23.	45L AS1 Substation- Airside Perimeter	Each	6	R	R
24.	45L AS2 Substation- Airside Perimeter	Each	5	R	R
25.	45L AS3 Substation- Airside Perimeter	Each	3	R	R

26.	45L AS4 Substation- Airside Perimeter	Each	5	R	R
27.	45L A2 Substation- Airside Apron	Each	11	R	R
28.	45L TOC Electrical Cabinet	Each	2	R	R
29.	Safety File		1	R	R
30.	Permit Costs(<i>Paid on proven costs with no mark-up</i>)		SUM	R	R 6 000.00
BIDDER'S COMPANY STAMP		Subtotal			R
		VAT			R
		TOTAL			R

4. SECTION 3: PREFERENCE POINTS AND PRICE

4.1. Preference Points Claims

4.1.1. In terms of the PPPFA and its regulations only a maximum of 20 points may be awarded for preference. The preferential point systems are as follows:

4.1.1.1. The 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included)

4.1.2. ACSA 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 ACSA.

4.2. Definitions

4.2.1. **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

4.2.2. **"B-BBEE status level of contributor"** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

4.2.3. **"Black Designated Groups"** has the meaning assigned to it in the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

4.2.4. **"Black People"** has the meaning assigned to it in the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

- 4.2.5. **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act 53 of 2003);
- 4.2.6. **“Designated Group”** means:
- 4.2.6.1. Black Designated Groups;
 - 4.2.6.2. Black People;
 - 4.2.6.3. Women;
 - 4.2.6.4. People with disabilities; or
 - 4.2.6.5. Small enterprises, as defined in section 1 of the national Small Enterprise Act 102 of 1996;
- 4.2.7. **“Consortium or Joint Venture”** 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;
- 4.2.8. **“EME”** means an exempted micro enterprise in terms of the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;;
- 4.2.9. **“Functionality”** means the ability of tenderer to provide goods or services in accordance with specifications as set out in the tender documents;
- 4.2.10. **“Military Veteran”** has the meaning assigned to it in section 1 of the Military Veterans Act 18 of 2011;
- 4.2.11. **“People with disabilities”** has the meaning assigned to it in section 1 of the Employment Equity Act, 55 of 1998;
- 4.2.12. **“Person”** includes a juristic person;
- 4.2.13. **“PPPFA”** means the Preferential Procurement Policy Framework Act 5 of 2000 and its Regulations published on 20 January 2017;
- 4.2.14. **“Price”** means all applicable axes less all unconditional discounts;
- 4.2.15. **“QSE”** means a qualifying small business enterprises in terms of the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act
- 4.2.16. **“Rand Value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 4.2.17. **“Rural Area”** means:

- 4.2.17.1. a sparsely populated area in which people farm or depend on natural resources including villages and small towns that are dispersed through the area; or
- 4.2.17.2. an area including a large settlement which depends on migratory labour and remittances and govern social grants for survival, and may have a traditional land tenure system;
- 4.2.18. **“Total Revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the Government Gazette on 9 February 2007;
- 4.2.19. **“Township”** means an urban living area that any time from the late 19th century until 27 April 1994, was reserved for black people, including areas developed for historically disadvantaged individuals post 27 April 1994;
- 4.2.20. **“Trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person;
- 4.2.21. **“Trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person; and
- 4.2.22. **“Youth”** has the meaning assigned to it in section 1 of the National Youth Development Agency Act 54 of 2008

All terms not defined herein have the meanings assigned to them in the PPPFA.

4.3. **Adjudication Using A Point System**

- 4.3.1. The bidder obtaining the highest number of total points will be awarded the contract, unless objective criteria exist justifying an award to another bidder or ACSA exercises one or more of its disclaimers.
- 4.3.2. Preference points will be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts
- 4.3.3. Points scored will be rounded off to the nearest 2 decimal places.

4.4. **Award of Business where Bidders have Scored Equal Points Overall**

- 4.4.1. In the event that two or more bids have scored equal total points, the successful bid will be the one scoring the highest number of preference points for B-BBEE.
- 4.4.2. However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid will be the one scoring the highest score for functionality.
- 4.4.3. Should two or more bids be equal in all respects, the award will be decided by the drawing of lots.

4.5. Points Awarded for Price

The 80/20 Preference Point Systems

A maximum of 80 or 90 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 comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

4.5.1. Points Awarded for B-BBEE Status Level of Contribution

4.5.1.1. 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-BBEE Status Level of Contributor		Number of Points (80/20 system)
1		20
2		18
3		14
4		12
5		8
6		6
7		4
8		2

Non-compliant contributor		0
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- 4.5.1.2. Bidders who qualify as EMEs in terms of the B-BBEE Act must submit an affidavit stating its annual turnover, certificate issued by a Verification Agency accredited by SANAS.
- 4.5.1.3. Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Verification Agency accredited by SANAS. QSEs have an additional option of submitting a sworn affidavit as its B-BBEE certificate in terms of the amendments to the B-BBEE Codes of Good Practice in 2013.
- 4.5.1.4. A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 4.5.1.5. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 4.5.1.6. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 4.5.1.7. A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 4.5.1.8. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

4.6. Bid Declaration

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

(B-BBEE Status Level of Contribution Claimed in Terms of Paragraphs **Error! Reference source not found.**)

B-BBEE Status Level of Contribution: _____ = _____ (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 0 must be in accordance with the table reflected in paragraph 4.5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS).

4.7. Declaration with Regard to the Bidder

4.7.1. **Name of bidding entity**

4.7.2. **VAT Registration**

4.7.4. **Company registration number:**

4.7.5. **Type of company / firm:**

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

[TICK APPLICABLE BOX]

4.8. Describe principal business activities

4.9. Company Classification

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transportation, *etcetera*.

[TICK APPLICABLE BOX]

4.10. Total numbers of years the company / firm has been in business:



4.11. 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-BBEE status level of contribution indicated in this bid of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- 4.11.1. The information furnished is true and correct;
- 4.11.2. The preference points claimed are in accordance with the General Conditions as indicated in this Section;
- 4.11.3. In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish documentary proof to the satisfaction of ACSA that the claims are correct;
- 4.11.4. If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, ACSA may, in addition to any other remedy it may have:
 - 4.11.4.1. Disqualify the person from the bidding process;
 - 4.11.4.2. Recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - 4.11.4.3. 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;
 - 4.11.4.4. Restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from ACSA for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - 4.11.4.5. Forward the matter for criminal prosecution.

Witnesses:

1. _____

Signature(s) of bidder(s)

2. _____

Date : _____

Address: _____

5. SECTION 7: RETURNABLE DOCUMENTS

5.1. Mandatory Returnable documents

ACSA will disqualify from the tender process any bidder that has failed to submit mandatory returnable documents and information on the closing date and time. Bidders should therefore ensure that all the mandatory returnable documents and information have been submitted. In order to assist bidders, ACSA has also included a column next to the required mandatory document and information to enable bidders to keep track of whether they have submitted or not. The mandatory documents and information are as follows:

- 5.2. These types of documents and information are required but are not mandatory or are only mandatory at specific stages of the process. ACSA may request bidders to submit these documents or information after the closing date and time or might already have them on the system. Where a document or information is only mandatory at a specific stage in the process, ACSA may only disqualify a bidder for non-submission at that stage and after reasonable efforts were made to request the document from the bidder. The documents are as follows:

RETURNABLE DOCUMENTS AND INFORMATION	SUBMITTED [Yes or No]
Tax Clearance Certificate (ACSA may not award a tender to a bidder whose tax affairs have not been declared to be in order by SARS)	
CSD summary report with unique verification code.	
Initial/stamp and where applicable sign all pages of the attached RFQ Declaration of interest forms (attached RFQ document)	
Provide a valid letter of good standing	
Insurance Letter	

5.3. Validity of submitted information

Bidders must ensure that any document or information which has been submitted in pursuance to this tender remains valid for the duration of the contract period. The duty is on the bidder to provide updated information to ACSA immediately after such information has changed.

6. SECTION 8: DECLARATION FORM

6.1. Making a Declaration

Any legal person or persons having a relationship with persons employed by ACSA, including a blood relationship, may submit a bid in terms of this tender document. In view of possible allegations of unfairness, should the resulting bid, or part thereof, be awarded to persons connected with or related to ACSA employees, it is required that the bidder or his/her authorised representative declare his/her position in relation to ACSA employees or any member of the evaluation or adjudication committee which will consider bids. Furthermore, ACSA requires all bidders to declare that they have not acted in any manner inconsistent with the law, policy or fairness.

6.2. All bidders must complete a declaration of interest form below:

Full name of the bidder or representative of
the bidding entity

Identity Number

Position held in the bidding entity

Registration number of the bidding entity

Tax Reference number of the bidding entity

VAT Registration number of the bidding entity

I/We certify that there is a / no relationship between the bidding entity or any of its shareholders / directors / owner / member / partner with any ACSA employee or official.

Where a relationship exists, please provide details of the ACSA employee or official and the extent of the relationship below

6.3. Full Names of Directors / Trustees / Members / Shareholders of the bidding entity

Full Name	Identity Number	Personal Income Tax Reference Number

6.4. I/We declare that we have not acted in any manner which promotes unfairness, contravenes any law or is against public morals. We further certify that we will in full compliance of this tender terms and conditions as well as ACSA policies in the event that we are successful in this tender.

Declaration:

I/We the undersigned _____ (Name) hereby certify that the information furnished in this tender document is true and correct. We further certify that we understand that where it is found that we have made a false declaration or statement in this tender, ACSA may disqualify our bid or terminate a contract we may have with ACSA where we are successful in this tender.

Signature

Date

Position

Name of bidder

7. SECTION 10: DECLARATION OF FORBIDDEN PRACTICES

I/We hereby declare that we have not/been found guilty of any illegal activities relating to corruption, fraud, B-BBEE fronting, anti-competitive practices and/or blacklisted by an organ of State Owned Company, etc. and/or any other forbidden practices.

I/We declare the following:

	Description	Penalty	Organ of State / State Owned Company
a)			
b)			

Furthermore, I/We declare that to the best of my/our knowledge there is /are no further practices to be declared or which are in the process of being finalised. The following are alleged practices which have not yet been finalised.

	Description	Organ of State / State Owned Company
a)		
b)		

This declaration was signed on _____ of _____ 202_____

Name: _____



Designation:

Signature:
