

<b>RFQ NUMBER</b>	<b>MISA/RFQ/00977/2025/26</b>	
<b>DESCRIPTION OF GOODS/ SERVICES</b>	<b>APPOINTMENT OF A CONTRACTOR FOR THE INSTALLATION OF SOLAR PV STREET LIGHTS AT VREDENDAL TOWN IN MATZIKAMA LOCAL MUNICIPALITY IN THE WESTERN CAPE PROVINCE</b>	
<b>Conditions of Contract</b>	Tenderers should have a CIDB contractor grading of <b>2EP</b> or higher. Contracts will be based on the NEC3 Engineering and Construction Contract (Option B: Priced Contract with Bill of Quantities).	
<b>PUBLISH/ADVERTISEMENT DATE</b>	<b>05 June 2025</b>	
<b>CLOSING DATE &amp; TIME</b>	<b>19 June 2024 @ 11:00</b>	
<b>COMPULSORY REQUIREMENTS</b>	<b>CIDB 2EP</b>	<b>Tick Applicable box</b>
	Acceptance of MISA conditions as well as submission of a quotation.	✓
<b>COMPULSORY BRIEFING SESSION/ SITE MEETING</b>	N/A	
<b>ENQUIRIES</b>	Enquiries must be addressed to: <a href="mailto:malose.thema@misa.gov.za">malose.thema@misa.gov.za</a> Technical Enquiries: <a href="mailto:musa.risenga@misa.gov.za">musa.risenga@misa.gov.za</a>	
<b>QUOTE VALIDITY</b>	90 Days (commencing from the RFQ closing date)	
<b>SUBMISSION:</b>	<b>Proposals clearly indicating with the RFQ number and description, must be submitted via email to: <a href="mailto:malose.thema@misa.gov.za">malose.thema@misa.gov.za</a></b>	
<b>DELIVERY ADDRESS WHERE GOODS/ SERVICES/ WORKS ARE REQUIRED</b>	Matzikama Local Municipality, Western Cape Province	
<b>BIDDER'S NAME</b>		
<b>TOTAL BID AMOUNT</b>		
<b>BBB EE LEVEL</b>		
<b>CIDB GRADING</b>		

## **1 PURPOSE**

The purpose of this RFQ is to invite service providers (hereinafter referred to as “Bidders”) to submit a response for the items/products/services as detailed under point number 1.3.

### **1.2 OBJECTIVE**

Based on the RFQ's submitted and the outcome of the evaluation process according to the set evaluation criteria, MISA intends to select a preferred Bidder/s with the view of concluding a service level agreement (SLA) where applicable with such successful Bidder. The Bid shall be evaluated in terms of the PPPFA (80/20) on the Price and Preference points.

### **1.3 SCOPE OF WORKS/ GOODS/ SERVICES REQUIRED**

1.3.1. MISA Requires Services from a contractor for the installation of Street lights at Vredendal in Matzikama local municipality in the Western Cape Province.

**The scope of work consists of the following:**

Supply, deliver and install 250 30W LED streetlight Luminaires, the luminaires must be designed for a 230V, 50Hz with surge protection of 10kV/10kA.

**Required properties of the LED STREETLIGHT LUMINAIRES:**

- Testing standards      SANS 60598/ SANS 62262
- Electrical Class      EU Class 1
- Nominal Voltage      250V, 50Hz
- Surge Protection      10kV/10kA
- Light Source to be LED

#### **TECHNICAL SPECIFICATION**

- Colour Temperature Neutral White (4000k)
- Colour Rendering index (CRI) of  $\geq 70$
- Power Factor to be  $> 0.9$
- IP rating to be IP65
- IK rating IK 10
- Housing to be UV - stabilized, Calcium filled polypyrene
- Mounting Version Back or Side entry
- Lifetime of LED to be 60000 hours minimum
- Warranty of 3 years minimum

## 2. DEMONSTRATION /PRESENTATION

- 2.1. MISA reserves the right to request the recommended Bidder who submit a response to this RFQ to give an oral presentation prior to commencing the works. The presentation will include, but may not be limited to, a demonstration of equipment/service for the proposal. If requested, this process will provide an opportunity for the Bidder to clarify or elaborate on their proposal. MISA shall schedule the time and location of these presentations as and when necessary.

## 3. EVALUATION OF PROPOSALS

The bid will be evaluated based on three stages:

- 3.1 First stage: Pre-Qualification
- 3.2 Second stage: Technical Functionality
- 3.3 Third stage: Price and Specific Goals

### 3.1 FIRST STAGE: MANDATORY REQUIREMENTS

ONLY those bidders who satisfy the following **ELIGIBILITY CRITERIA** and who provide the required evidence in their RFQ submissions, are eligible to submit a Quotation and have their submission evaluated, otherwise will they be disqualified:

- 3.1.1 In case of a Joint Venture/ Consortium submission, shall submit a Joint Venture Agreement signed by all parties
- 3.1.2 Bill of quantities or Pricing schedule and or Form of offer/Total RFQ amount shall not contain correction fluid on them. Any wrong entry, in case of correction, must be cancelled by a single stroke and initialled by the Authorised signatory
- 3.1.3 The bidder must submit at least 1 reference letter and completion certificate for completed solar street lighting project.
- 3.1.4 The bidder must submit an abridged CV and proof of qualification/registration for
  - (a) **Electrical Engineer** with:
    - one (1) completed solar street lighting/ energy efficiency project,
    - a professional registration with **ECSA** (Pr Tech Eng/ Pr Eng)
    - Qualification in Electrical Engineering (Diploma/Degree)
    - at least 3 years work experience post ECSA registration
  - (b) **Electrician** with:
    - one (1) completed solar street lighting installation project;
    - Electrician **Trade Test** Certificate
    - at least 5 years work experience post trade certificate.

**OTHER CONDITIONS FOR SUBMISSION OF QUOTATIONS (NON-ELIMINATING, UNLESS EXPRESSLY MENTIONED IN THE DOCUMENT)**

- 3.1.5 Bidders must accurately complete and sign the following forms
- a) SBD 6.1 Preference Points Claim Form,
  - b) General Conditions of Contracts (GCC), bidders to initial each page
- 3.1.6 The bidder must be registered on the Central Supplier Database (CSD) prior the award
- 3.1.7 All bidder's tax matters must be in order prior award. Bidders' tax matters will be verified through CSD.
- 3.1.8 Should the bidder intend to sub-contract up to 25%, It is compulsory to submit a valid B-BBEE Certificate issued by SANAS accredited Agency OR a valid original or certified copy of a sworn affidavit (for EMEs or QSEs) attested by a Commissioner of Oaths in terms of the Justices of the Peace and Commissioners of Oaths Act 16 of 1963 as amended for all proposed sub-contractors.
- 3.1.9 A valid original or certified copy of amended B-BBEE Certificate issued by SANAS accredited Agency must be submitted with the RFQ OR a valid copy of a sworn affidavit attested by a commissioner of Oaths in terms of justices the peace and commissioners of oaths act 16 of 1963 as amended, prepared and issued in terms of the amended B-BBEE must be submitted with the RFQ in order to qualify for preference points for B-BBEE. In case of a joint venture or consortium a valid copy of a consolidated amended B-BBEE Certificate issued by SANAS accredited Agency must submitted. Failure to comply, will automatically results in the non-awarding of points for B-BBEE.
- 3.1.10 Bidders that are EMEs or QSEs should make use of the attached compliant Sworn affidavits, to claim B-BBEE points. Sworn affidavits for Generic sector codes will not be accepted for purposes of claiming B-BBEE points
- 3.1.11 Should the bidder fail to submit completed and signed SBD 6.1, the bidder will not be awarded any points for Specific Goals.
- 3.1.12 MISA may request additional information, clarification or verification in respect of any information contained in or omitted from a Bidder's Proposal, which MISA may do either in writing or at a meeting convened with the Bidder for that purpose,
- 3.1.13 Only those bidders who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, for a 2EP Or Higher class of construction work, are eligible to have their tenders evaluated. Joint ventures are eligible to submit tenders provided that: every member of the joint venture is registered with the CIDB,
- 3.1.14 the lead partner has a contractor grading designation in the 2EP Or Higher class of construction work, or not lower than one level below the required grading designation in the

class of works construction works under considerations and possess the required recognition status.

- 3.1.15 the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a 2EP Or Higher class of construction work or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations A company must provide a minimum of 1 reference letter and completion certificate for completed public sector solar street lighting installation project.
- 3.1.16 MISA will conduct a due diligence exercise on the recommended Bidder or its Subcontractor, which will include interviewing customer references or other activities to verify a Bidder's submitted or other information and capabilities.
- 3.1.17 MISA may shortlist Bidders and may request presentations from short-listed Bidders.

## 3.2 SECOND STAGE: TECHNICAL COMPLIANCE

Only bidders that comply with **ALL** requirements in the first stage will be evaluated further on Technical Compliance. Failure to submit the required documents for Key Personnel, will result in automatic disqualification.

Criteria	Description of requirements	Indicate Yes	Indicate No
<b>Relevant Company Experience,</b>	The company must provide the completion certificate where the similar works was completed within the past 5 Years. Minimum qualifying requirements: The company must have: <ul style="list-style-type: none"> <li>• A minimum of 1 completed project for Supply, delivery and installation of streetlights.</li> <li>• Submit Completion Certificates</li> </ul>		
<b>Skills and Capacity</b>	<b>Team composition:</b> One (1) <b>electrical engineer</b> with a minimum of following: <ul style="list-style-type: none"> <li>• 1 completed solar street lighting/ energy efficiency project.</li> <li>• Provide Pr Tech Eng/ Pr Eng ECSA certificates</li> <li>• at least 3 years work experience post ECSA registration.</li> </ul> One (1) <b>Electrician</b> with a minimum of following: <ul style="list-style-type: none"> <li>• 1 completed solar street lighting installation project</li> <li>• Provide Electrician Trade Test Certificate</li> <li>• A CV with at least 5 years post trade certificate qualification work experience.</li> </ul>		

Number of sheets appended by the tenderer to this Schedule ..... (If nil, enter NIL).

SIGNED ON BEHALF OF TENDERER: .....

### 3.3 THIRD STAGE: EVALUATION FOR PRICE AND SPECIFIC GOALS

#### EVALUATION POINTS ON PRICE AND SPECIFIC GOALS

The **80/20 preference point system** shall be applied for the purposes of this bid as per the requirements of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and Preferential Procurement Regulations of 2022.

Criteria	Points
<b>POINTS ON PRICE</b>	<b>80</b>
<b>Specific Goals</b>	<b>20</b>
<b>TOTAL</b>	<b>100</b>

#### SPECIFIC GOALS

The Employer reserves the right to apply other specific goals in accordance with Preferential Procurement Regulations 2022 as contemplated in section 2(1)(d)&(e) of the PPPFA Act No 5 of 2000 which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994.

#### The 80/20 preference point system for acquisition of services, works or goods up to Rand value of R50 million:

1. The following formula must be used to calculate the points for price in respect of tenders (including price quotation) with a Rand value equal to, or above R 30 000 and up to Rand value of R 50 000 000 (all applicable taxes included):

The financial offer will be scored using the following formula:

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

Where-

**P<sub>s</sub>** = Points scored for price of RFQ under consideration.

**P<sub>t</sub>** = Price of RFQ under consideration, and

**P<sub>min</sub>** = Price of lowest acceptable tender.

2. A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender.
3. The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places.
4. Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

Points claimed will be according to bidder's specific goals as indicated in Table below:

**Table 1: Specific goals for the RFQ and points claimed are indicated per table below:**

The specific goals allocated points in terms of this bid	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the bidder)
Who are women (51% or more)	5	
Who has disability (51% or more owned)	5	
Who is a youth (18 to 35 years) (51% or more owned)	5	
B-BBBEE status level contributors from level 1 to 2 which are QSE or EME	5	
Total scored points	20	

**Specific goals**": means specific goals as contemplated in section 2(1)(d) of the PPPFA Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction of Development Programme as published in *Government Gazette* No.16085 date 23 November 1994

**"Ownership"** means the percentage ownership and control, exercised by individuals within and enterprise.

**"Disability"** means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform and activity in the manner, or within the range, considered normal for a human being.

- i. A blind person (in terms of the Blind Persons Act, 1968(Act no 26 of 1968)
- ii. A deaf person, whose hearing is impaired to such and extent that he/she cannot use it as a primary means of communication.
- iii. A person who, as a result of permanent disability, requires a wheelchair, caliper or crutch to assist him/her to move from one place or another.
- iv. A person who requires an artificial limb, or

- v. A person who suffers from a mental illness (in terms of the Mental Health Act, 1973 (Act NO. 18 of 1973))

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

Documents required for verification of points allocation are as follows:

<b>Procurement Requirement</b>	<b>Required Proof Documents</b>
Women	Full CSD Report
Disability	Full CSD Report
Youth	Full CSD Report
Location	Full CSD Report
B-BBEE status level contributors from level 1 to 2 which are QSE or EME	Valid certificate/ sworn affidavit Consolidated BEE certificate in cases of Joint Venture Full CSD Report

Points for the BBBEE criterion will be allocated in accordance with the Bidder's BBBEE status level, and those of its subcontractors in proportion to their expected revenue allocations.

The electronic version of the Pricing template completed by the Bidder and submitted with the Bidder's Proposal will be used for the calculation of price. In this regard:

- 3.3.1 The Bidder must ensure the accuracy of the pricing figures provided in the template.
- 3.3.2 The Bidder's authorised signatory warrants that the electronic copy submitted, and the hardcopy contain the same information
- 3.3.3 The Bidder's RFQ response may be regarded as non-responsive if the electronic Pricing template response contains omissions
- 3.3.4 MISA, in its sole discretion, may regard the Bidder's RFQ response as non-responsive if one or more of the pricing components of the Pricing response template provided in the RFQ are: not firm, subject to negotiation, subject to variation other than by mechanisms contemplated in the proposed contract, dependant on assumptions not provided by MISA in the RFQ, or not reasonably determinable at the time of evaluation for any other reason.
- 3.3.5 The points accumulated for Specific goals will be added to the points accumulated for the Price criterion.

#### **4 SUBCONTRACTING**

- 4.1 Sub-contracting of the services to other companies or individuals is not permitted without prior written approval from MISA. A contractor is not allowed to sub-contract more than



25% of the contract value to another enterprise that does not have equal or higher B-BBEE status level, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

## **5 MISA'S RIGHTS**

- 5.1 MISA reserves the right to cancel this solicitation in whole or in part, at its sole discretion, at any time before the Agreement is fully executed
- 5.2 This bid does not commit MISA to award an Agreement, to pay any costs incurred by bidders in the preparation of their proposals submitted in response to this bid, or to procure or contract for services
- 5.3 MISA reserves the right to conduct vetting and verify the validity of all information submitted by the bidder
- 5.4 MISA will reject any proposal that does not provide evidence of the specified mandatory requirements. MISA may or may not request additional information and clarification during the evaluation and selection process from any or all bidders regarding their proposals
- 5.5 MISA reserves the right to request the company's latest audited financial statement in order to ascertain financial stability of the bidder prior to the award of the bid,
- 5.6 Upon an award, the successful Bidder will be required to enter into the Agreement with MISA. In this regard
  - 5.6.1 MISA may require the Bidder to enter into an interim agreement under which the transition services would commence
  - 5.6.2 MISA will enter into negotiations with the Bidder with a view to concluding the Agreement
  - 5.6.3 MISA will be entitled to cease negotiating with a Bidder and negotiate with another Bidder if MISA, in its sole discretion, is of the opinion that: the Bidder has made misrepresentations in its RFQ response, the Bidder is attempting to withdraw from positions or commitments made in its Proposal, the Bidder is not negotiating in good faith, or an agreement may not be expeditiously concluded with the Bidder for any other reason
- 5.7 MISA reserves the right to cancel or reject any quote and not to award the RFQ to the lowest Bidder or award parts of the RFQ to different Bidders, or not to award the RFQ at all.
- 5.8 MISA reserves the right in its sole discretion to:
  - 5.8.1 withdraw, suspend or cancel this RFQ or the RFQ process at any time and without providing reasons,
  - 5.8.2 not provide reasons for its rejection or the failure of any Bidder or Proposal,
  - 5.8.3 change any of its requirements as set out in this RFQ,

- 5.8.4 change any condition, procedure or rule of the RFQ,
- 5.8.5 amend, vary, or supplement any of the information, terms or requirements contained in this RFQ, any information or requirements delivered pursuant to this RFQ, or the structure of the RFQ process before closing date,
- 5.8.6 re-advertise for RFQ responses, and
- 5.8.7 provide further information in respect of, and modify the provisions of, this RFQ at any time prior to the Closing Date by notice/addendum to all prospective Bidders.
- 5.8.8 cancel this RFQ without notifying the prospective Bidders.
- 5.8.9 to disqualify any person who is a provider (Bidder) or prospective provider of goods or services, or a recipient or prospective recipient of goods disposed of or be disposed of , who directly or indirectly influence or interfere with the work of any of our officials involved in the procurement process in order , inter alia, to:
  - influence the process and/or outcome of a bid,
  - incite breach of confidentiality and/or the offering of bribes
  - influence the choice of procurement method or technical standards
  - influence any of our officials in any way which may secure an unfair advantage during or at any stage of the procurement process.

## **6 ACCEPTANCE OF RFQ CONDITIONS**

The Bidder's participation in the RFQ process is deemed to constitute acknowledgement and acceptance by the Bidder of the terms and conditions contained in this RFQ.

### **6.1 SERVICE CONDITIONS.**

#### **6.1.1 Acceptance, Contract Commencement and Purchase Orders**

The vendor's offer will be accepted by the Employer when an official purchase order is issued to the vendor, who then becomes the Contractor in terms of this contract. The date of issue of the purchase order shall be the commencement date of the contract. The vendor undertakes work and incurs expenses prior to the issuing of a purchase order entirely at its own risk. The Employer shall only incur liability for payment in terms of this contract if a valid purchase order has been issued to the vendor.

#### **6.1.2 Duties of the Contractor**

The Contractor is to provide all labour, material, workmanship, machinery, and everything which is or may be necessary in and for the execution and entire completion of the contract in accordance with the General Conditions of Contract, Project Specification

### **6.1.3 Contractor to Appoint a Competent Representative**

The Contractor shall appoint a competent representative to administer and control the Works on site and shall inform the Employer of the name of such representative. A contract instruction given to the Contractor's representative shall be deemed to be given to the Contractor

## **6.2 Validity of information**

MISA has made reasonable efforts to ensure accuracy in compiling this RFQ. However, neither MISA, nor its employees, officers, advisers or agents will be liable to the Bidder or any third party for any inaccuracy or omission in the RFQ or in respect of any additional information MISA may provide to the Bidder as part of the RFQ process.

The Bidder is deemed to have examined this RFQ and any other information supplied by MISA to the Bidder and to have satisfied itself as to the correctness and sufficiency of such before submitting its Proposal.

## **6.3 RFQ not an offer**

This RFQ does not constitute an offer to do business with MISA but merely serves to facilitate a requirements-based decision process.

Nothing in this RFQ or any other communication made between MISA (including its officers, directors, employees, advisers and representatives) is a representation that MISA will offer, award or enter into a contract.

## **6.4 Preparation Costs**

The Bidder will bear all its costs in preparing, submitting and presenting any response or Proposal to this RFQ and all other costs incurred by it throughout the RFQ process. Furthermore, no statement in this RFQ will be construed as placing MISA, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the Bidders in the preparation of their response or Proposal to this RFQ.

## **6.5 Indemnity**

If a Bidder breaches any condition of this RFQ and, as a result of that breach, MISA incurs costs or damages (including, without limit, the cost of any investigations, procedural impairment, repetition of all or part of the RFQ process and enforcement of intellectual property rights or confidentiality obligations), then the Bidder indemnifies and holds MISA harmless from any and all such costs which MISA may incur and for any damages or losses MISA may suffer.

## **6.6 Responsibility for subcontractors and Bidder's personnel**

A Bidder is responsible for ensuring that its subcontractors, personnel (including officers, directors, employees, advisors and other representatives of a Bidder) and personnel of its subcontractors comply with all terms and conditions of this RFQ and in particular the provisions of paragraph 6.7 below.

## **6.7 Confidentiality**

Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this RFQ or a Bidder's Proposal(s) may be disclosed by any Bidder or other person not officially involved with MISA's examination and evaluation of a Proposal.

No part of the RFQ may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a Proposal. This RFQ and any other documents supplied by MISA remain proprietary to MISA and must be promptly returned to MISA upon request together with all copies, electronic versions, excerpts or summaries thereof or work derived there from.

Throughout this RFQ process and thereafter, Bidders must secure MISA's written approval prior to the release of any information that pertains to (i) the potential work or activities to which this RFQ relates, or (ii) the process which follows this RFQ. Failure to adhere to this requirement may result in disqualification from the RFQ process and civil action.

After the Closing Date, no confidential information relating to the process of evaluating or adjudicating RFQ responses or appointing a Bidder will be disclosed to a Bidder or any other person not officially involved with such process.

## **6.8 Governing Law**

South African law governs this RFQ and the response process of the RFQ. The Bidder agrees to submit to the exclusive jurisdiction of the South African courts in any dispute of any kind that may arise out of or in connection with the subject matter of this, the constitution itself and all processes associated with the law.

## **7 QUERIES**

- 7.1 For a Bidder to obtain clarity on any matter arising from or referred to in this document, please refer queries, in writing, to the contact details provided below. Under no circumstances may any other employee within MISA be approached for any information. Any such action might result in a disqualification of a response submitted in competition to this RFQ.
- 7.2 All enquiries regarding this RFQ must be forwarded only to the person as per the contact details provided as per 1.4.1.
- 7.3 Under no circumstances will MISA allow enquiries from Bidders one (1) day prior the closing date of this RFQ and during the subsequent evaluation processes.

## 8 RETURNABLE SCHEDULES

### SBD 1

#### 1. PART A – INVITATION OF Bid (SBD 1)

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	MISA/RFQ/00977/2025/26	CLOSING DATE:	19 JUNE 2025	CLOSING TIME:	11H00
DESCRIPTION:	APPOINTMENT OF A CONTRACTOR FOR THE INSTALLATION OF SOLAR PV STREET LIGHTS AT MATZIKAMATOWN IN MATZIKAMALOCAL MUNICIPALITY IN THE WESTERN CAPE PROVINCE				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
1303 Heuwel Avenue,					
Riverside Office Park,					
Letaba House (FIRST FLOOR)					
Centurion, 0046					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>					
CONTACT PERSON	Mr Malose Thema				
TELEPHONE NUMBER	012 848 5300				
E-MAIL ADDRESS	Malose.thema@misa.gov.za				
<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
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, COMPLETE 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

## **PART B – TERMS AND CONDITIONSTERMS AND CONDITIONS FOR BIDDING**

<b>1. QUOTATION SUBMISSION:</b>
<p>1.1. QUOTATIONS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE QUOTATIONS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL QUOTATIONS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b></p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE <a href="http://WWW.SARS.GOV.ZA">WWW.SARS.GOV.ZA</a>.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN QUOTATIONS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>2.7 NO QUOTATIONS 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."</p>
<b>3. OTHER TERMS AND CONDITIONS</b>

## 2. SBD 4 - 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 RFQ 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 with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
.....

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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.



2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....  
.....

### 3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure,
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect,
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or 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 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 Quotations and contracts, Quotations 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.

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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.

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

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

This preference form must form part of all the 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

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

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

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

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
<b>Total Points for Price and SPECIFIC GOALS</b>	<b>100</b>

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:

<b>80/20</b>	<b>or</b>	<b>90/10</b>
$P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$	or	$P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$
Where		

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

$P_t$  = Price of tender under consideration

$P_{min}$  = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

<b>80/20</b>	<b>or</b>	<b>90/10</b>
$P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$	or	$P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$

Where

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

$P_t$  = Price of tender under consideration

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 specific goals allocated points in terms of this bid	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the bidder)
Who are women (51% or more)	5	
Who has disability (51% or more owned)	5	
Who is a youth (18 to 35 years) (51% or more owned)	5	
B-BBEE status level contributors from level 1 to 2 which are QSE or EME	5	
Total scored points	20	

the specific goals may include—

- a) contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender or disability.
- b) Implementing the programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994.

**Means of Verification (Specific Goals)**

Procurement Requirement	Required Proof Documents
Women	Full CSD Report
Disability	Full CSD Report
Youth	Full CSD Report
Location	Full CSD Report
B-BBEE status level contributors from level 1 to 2 which are QSE or EME	Valid certificate/ sworn affidavit Consolidated BEE certificate in cases of Joint Venture Full CSD Report

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

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as

indicated in paragraph 1 of this form;

- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

.....	
<b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	..... .....

## RETURNABLE ANNEXURE 2 - PRICE SCHEDULE

### PRICING GUIDELINES

The Bidder must take the following into consideration when pricing:

1. Detailed deliverables as per specifications under point 1.3 above.
2. Price must be based on a fixed price basis for the duration of the contract. Rates are to include for labour, material, overheads, profit, etc.
3. To ensure that all rates include for all costs deemed necessary as no additional costs will be admitted later.
4. We may require breakdown of rates on any of the items priced and the Service Provider is to provide same without any additional cost.
5. Vat-registered companies must price exclusive of VAT and show VAT payable separately on the Form of Offer.
6. The quotation price as per the Form of Offer will take precedence in the event of any discrepancy between the Form of Offer and the Price Schedule.

### Schedule 1 - INSTALLATION OF SOLAR STREET LIGHTS IN MATZIKAMA LOCAL MUNICIPALITY

ITEM NO	DESCRIPTION	UNIT	QTY	RATE (R)	AMOUNT (R)
1.	Supply, delivery and installation of 26W LED UV- Stabilized, Calcium filled polypropylene Streetlight	Item	250		
2.	Removal of the Existing luminaires and disposal	Sum	1		
	<b>Sub Total for Schedule 1</b>				

### Schedule 2 - PROFESSIONAL MANAGEMENT FEES

ITEM NO	DESCRIPTION	UNIT	QTY	RATE (R)	AMOUNT (R)
1.	Contract management, construction monitoring and close out.	Item	250		
	<b>Sub Total for Schedule 2</b>				

### SUMMARY SCHEDULE OF QUANTITIES

SCHEDULE	DESCRIPTION	AMOUNT R
Total Schedule No 1	Installation Of Solar Street Lights at Vredendal Town in Matzikama Local Municipality	
Total Schedule No 2	Professional Management fees (as per ECSA Guide Lines), Prov. Sum.	
SUBTOTAL FOR SHEDULE 1 AND SCHEDULE 2		
ADD 15% VAT		
<b>TOTAL CARRIED TO FORM OF OFFER</b>		



**Form of Offer**

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract for the provision of services as described in Part 1 of the Contract Data.

The tenderer, identified in the Offer signature block, has examined the documents listed in the Tender Data and addenda thereto as listed in the Returnable Schedules, and by submitting this Offer has accepted the Conditions of Tender.

By the representative of the tenderer, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the tenderer offers to perform all of the obligations and liabilities of the Contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the Contract Data.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VAT AND EXPENSES, calculated in accordance with the conditions of contract as detailed hereunder:

Total Amount: .....(in figures),

.....(in words)

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document including the Schedule of Deviations (if any) to the tenderer before the end of the period of validity stated in the Tender Data, or other period as agreed, whereupon the tenderer becomes the party named as the Contractor in the conditions of contract identified in the Contract Data.

Capacity .....

**For the tenderer:** .....

(Insert name and address of organisation)

Name & signature of witness	Date
.....	.....