



BID NO: RFP 21/22

**APPOINTMENT OF A SERVICE PROVIDER TO RAISE CAPITAL FUNDING FOR ITHALA
DEVELOPMENT FINANCE CORPORATION LIMITED FOR A PERIOD OF THREE (3)
YEARS**

CLOSING DATE: 14 March 2023 at 11am

Issued by:

Ithala Development Finance Corporation Limited
29 Canal Quay Road (for GPS 29 Signal Road),
Point Waterfront
Durban

Procurement Enquires:

Supply Chain Management Unit
Email: tenders@ithala.co.za Tel: 031 907 8911

Name of Bidder:

Trading Name:.....

**For any complaints regarding our supply chain management abuses please contact
Larissa Warren at 031 907 8610 or email Complaints@ithala.co.za alternatively you can
lodge an anonymous complaint at our toll-free hotline number 0800 0048 23**

REQUEST FOR PROPOSAL

**ITHALA DEVELOPMENT FINANCE CORPORATION LIMITED, 29 CANAL QUAY ROAD,
POINT, DURBAN**

(FOR GPRS 29 SIGNAL ROAD) (Hereinafter referred to as ("Ithala"))

BID NUMBER:	RFP21/22				
CLOSING DATE:	14 March 2023				
TIME:	11:00 am				
DESCRIPTION:	APPOINTMENT OF A SERVICE PROVIDER TO RAISE CAPITAL FUNDING FOR ITHALA DEVELOPMENT FINANCE CORPORATION LIMITED FOR A PERIOD OF THREE (3) YEARS				
COMPULSORY BRIEFING:	Yes		No	X	
Bid Enquiries	all bid enquiries can be sent by email tenders@ithala.co.za				

DATE:	22 February 2023 @13h00
VENUE:	Online session
DETAILS:	Kindly register your interest for the online session by sending an email request to tenders@ithala.co.za by no later than 20 February 2023 at 16:00. The email should include your company name, contact person, telephone number and the meeting link will then be sent to you.
TELEPHONE:	031 907 8911

Contents of the bid

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C.2 TENDER NOTICE AND INVITATION TO TENDER

APPOINTMENT OF A SERVICE PROVIDER TO RAISE CAPITAL FUNDING FOR ITHALA DEVELOPMENT FINANCE CORPORATION LIMITED FOR A PERIOD OF THREE (3) YEARS

The physical address for collection of tender documents is:

Documents can be obtained from National Treasury **e-tender portal and Ithala website.**

Submission of Bids:

One original and one soft (USB) copy of the bid document must be submitted,

The proposals shall be submitted in sealed envelopes delivered at Ithala Trade Centre, 29 Canal Quay Road (for GPS use 29 Signal Road), Point, Durban and should be deposited in the box located at the reception. The closing time for receipt of tenders is **on 14 March 2023 @11h00.**

Telegraphic, telephonic, telex, facsimile, e-mail, and late tenders will not be accepted. It is important to note that all bids lodged will be examined to determine compliance with the bidding requirements and conditions. Bids with obvious deviation from the requirements, will be eliminated.

Technical and administrative queries relating to these documents may be addressed in writing only quoting the Bid No. for attention: Supply Chain Management Unit by email to tenders@ithala.co.za

Tenders may only be submitted on the original tender documentation that is issued by Ithala written in black ink.

Ithala does not bind itself to accept the lowest or any bid and consider any bid for appointment.

PART A - INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF ITHALA DEVELOPMENT FINANCE CORPORATION					
BID NUMBER:	RFP 21/22	CLOSING DATE:	14 March 2023	CLOSING TIME:	11H00 am
DESCRIPTION		APPOINTMENT OF A SERVICE PROVIDER FOR PROVISION OF EMAIL ARCHIVAL SOLUTION			
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:					
Ithala Trade Centre					
29 Canal Quay Road					
Point Water Front					
Durban					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	SCM		CONTACT PERSON	SCM	
TELEPHONE NUMBER	031 907 8911		TELEPHONE NUMBER	031 907 8911	
E-MAIL ADDRESS	tenders@ithala.co.za		E-MAIL ADDRESS	tenders@ithala.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
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:
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>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.</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 (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</p>
2. TAX COMPLIANCE REQUIREMENTS
<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</p> <p>2.4 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.5 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>2.6 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."</p>

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:.....

All bidders must furnish the following particulars and include it in their submission.

Ithala does not bind itself to accept the lowest or any bid and consider any bid for appointment.

Name of bidder:

Trading Name

VAT registration number

Tax clearance status/pin submitted

Postal address:

Street address:

Telephone number: Code Number

Cellular number:

Facsimile number: Code Number

e-Mail address:

In case of a consortium/joint venture, full details on consortium/joint venture members:

Entity name	VAT registration number	Tax Clearance Status/Pin submitted	YES / NO
Entity name	VAT registration number	Tax Clearance Status/Pin submitted	YES / NO
Entity name	VAT registration number	Tax Clearance Status/Pin submitted	YES / NO

Name of contracting entity in case of a consortium/joint venture

Entity name:

Postal address:

Street address:

Contact details of responsible person who will act on behalf of the entity/consortium/joint venture for this bid

Contact details of alternative

Name and Surname

Telephone number: Code Number

Cellular number:

Facsimile number: Code Number

e-Mail address:

Responsible person who will act on behalf of the person above should he/she not be available

Name and Surname

Telephone number: Code Number

Cellular number:

Facsimile number: Code Number

e-Mail address:

Confirmation

Are you the accredited representative in South Africa for the services offered by you: **YES / YES**
NO /

Declaration

I/We have examined the information provided in your bid documents and offer to undertake the work prescribed in accordance with the requirements as set out in the bid document. The prices quoted in this bid are valid for the stipulated period. I/We confirm the availability of the proposed team members. We confirm that this bid will remain binding upon us and may be accepted by you at any time before the expiry date

Signature of bidder:

Date:

Are you duly authorised to commit the bidder: **YES /**
NO

Capacity under which this bid is
signed

C.3 INTRODUCTION

Ithala is a Development Finance Corporation operating within the confines of the KZN Ithala Development Finance Corporation Act, No 5 of 2013.

Our VISION is “To be the catalyst for growth, economic development and empowerment” and our MISSION is “To drive economic development and empowerment whilst remaining financially sustainable”.

We enable, develop, promote and implement innovative investment and transformation solutions to advance sustainable Black Economic Empowerment.

The objectives of Ithala are to promote, support and facilitate social and economic development in the Province of Kwa-Zulu Natal (KZN) by:

1. Mobilising financial resources and providing financial and supportive services to persons domiciled, ordinary resident, or carrying on business within the KZN Province
2. Planning, executing, financing, and monitoring the implementation of development projects and programmes in the province of KZN
3. Promoting, assisting and encouraging the development of the Province’s human resources and its social, economic, financial and physical infrastructure
4. Promoting, encouraging and facilitating private sector investment in the Province and the participation of the private sector and community organisations in development projects and programmes and in contributing to economic growth and development generally
5. Acting as the Government’s agent for performing any development related tasks and responsibilities that the government considers may be more effectively performed by a corporate entity

Our primary mandate is implemented by our two operating divisions and a subsidiary with an external market focus, namely:

1. Properties
2. Business Finance
3. Ithala SOC Limited

The quality, price and service that we provide our customers can only be as good as what we receive from our service providers.

We strive for continuous improvement in our critical business areas and seek to establish relationships with suppliers that are equally passionate in their quest for better quality, price and service. By exceeding our requirements and expectations, you will not only ensure that you maintain the current business; you will be positioning yourself for future business within Ithala.

PROCUREMENT PHILOSOPHY

It is the policy of Ithala, when purchasing goods and obtaining services, to follow a course of optimum value and efficiency by adopting best purchasing practices in supply chain management, ensuring that open and fair competition has prevailed, with due regard being had to the importance of :

- a) The promotion, development and support of businesses from disadvantaged communities (small, medium, micro enterprises, as well as established businesses within those communities) in terms of its SCM Policy.
- b) The promotion of national and regional local suppliers and agents before considering overseas suppliers; and
- c) The development, promotion and support for the moral values that underpin the above, in terms of Ithala' s Business Ethics and Guidelines which requires that all commercial conduct be based on ethical and moral values and sound business practice. This value system governs all commercial behaviour within Ithala.

1 C.4 CONDITIONS OF BID AND CONTRACT

Bidders must indicate compliance or non-compliance on a paragraph-by-paragraph basis. Indicate compliance with the relevant bid requirements by marking the YES box and non-compliance by marking the NO box. If the contents of the paragraph only need to be noted, please mark the NOTED box.

	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
1.	GUIDELINE ON COMPLETION				
1.1	The bidder must clearly state if a deviation from these requirements are offered and the reason, therefore. If an explanatory note is provided, the paragraph reference must be attached as an appendix to the bid submission. Bids not completed in the manner prescribed may be considered incomplete and rejected.				
2.	ITHALA SERVICE LEVEL AGREEMENT				
2.1	The Ithala Service Level Agreement will be the only contract signed by both parties and will form the basis of this contract. Ithala's standard terms and conditions will not be negotiated.				
3.	ADDITIONAL INFORMATION REQUIREMENTS				
3.1	During evaluation of the bids, additional information may be requested in writing from bidders. Replies to such request must be submitted, within 5 (five) working days or as otherwise indicated. Failure to comply, may lead to the bid being disregarded.				
4.	CONFIDENTIALITY				
4.1	The bid and all information in connection therewith shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid.				
4.2	All bidders are bound by a confidentially agreement preventing the unauthorised disclosure of any information regarding Ithala or of its activities to any other organisation or individual. The bidders may not disclose any information, documentation or products to				

	other clients without written approval of the accounting authority or the delegate.				
5.	INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT	Yes	No	Noted	If no, indicate deviation
5.1	Copyright of all documentation relating to this assignment belongs to Ithala. The successful bidders may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the delegate.				
5.2	All the intellectual property rights arising from the execution of this Agreement shall vest in Ithala and the service provider undertakes to honour such intellectual property rights and all future rights by keeping the know-how and all published and unpublished material confidential.				
5.3	In the event that the service provider would like to use any information or data generated in terms of the Services, the prior written permission must be obtained from Ithala.				
5.4	Ithala shall own all materials produced by the service provider during the course of, or as part of the Services including without limitation, deliverables, computer programmes (source code and object code), programming aids and tools, documentation, reports, data, designs, concepts, know-how and other information whether capable of being copyrighted or not ("IP") which IP Ithala shall be entitled to freely cede and assign to parties nominated by Ithala.				
6	PAYMENTS				
6.1	Ithala will pay the service provider for the actual services rendered in line with the contract.				
6.2	The service provider shall from time to time during the duration of the contract, invoice Ithala for the services rendered. No payment will be made to the service provider unless an invoice complying with section 20 of VAT Act No 89 of 1991 has been submitted to Ithala.				
6.3	Payment shall be made into the bidder's bank account or per cheque payment normally 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this bid is awarded).				
7	NON-COMPLIANCE WITH DELIVERY TERMS	Yes	No	Noted	If no, indicate deviation

7.1	As soon as it becomes known to the service provider that he will not be able to deliver the goods/services within the delivery period and/or against the quoted price and/or as specified, Ithala must be given immediate written notice to this effect. Ithala reserves the right to implement remedies as provided for in the SLA.				
8	WARRANTIES				
8.1	The service provider warranties that: It is able to conclude this Agreement to the satisfaction of Ithala.				
8.2	Although the service provider will be entitled to provide services to persons other than Ithala, the service provider shall not without the prior written consent of Ithala, be involved in any manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the contractor to provide the Services.				
8.3	The Service Provider under contract is obligated to ensure that should a resource who is scheduled to carry out work for Ithala or is carrying out work for Ithala and becomes unavailable then that resource should be replaced within 7 days with a resource in possession of the same professional registration and/or qualifications/experience. The replace resource is subject to the vetting of the Ithala project manager.				
9.	PARTIES NOT AFFECTED BY WAIVER OR BREACHES				
9.1	The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this Agreement by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof				
9.2	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this Agreement shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this Agreement.				
10	SUBMITTING BIDS				
10.1	Supply Chain Management (SCM)				
10.2	An original and electronic copy must be delivered to: ITHALA TRADE CENTRE 29 Canal Quay Road (for GPS use 29 signal road) Point Waterfront, Durban				

11	LATE BIDS	Yes	No	Noted	If no, indicate deviation
11.1	Late submissions will not be accepted. A submission will be considered late if it arrived one second after 11:00 or any time thereafter. The bid (tender) box shall be locked at exactly 11:00 and bids arriving late will not be accepted under any circumstances. Bidders are therefore strongly advised to ensure that bids be dispatched allowing enough time for any unforeseen events that may delay the delivery of the bid.				
12.	BID CLARIFICATIONS				
12.1	Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing (by e-mail). Please make reference to Bid Notice and Invitation to Tender page of this bid pack for contact details. The bid number should be mentioned in all correspondence. Telephonic requests for clarification will not be accepted. If appropriate, the clarifying information will be made available to all bidders by e-mail only.				
13.	FORMAT OF BIDS				
13.1	Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented.				
14.1	PART 1: INVITATION TO BID				
14.2	PART 2: PART 2: RFP SUMMARY AND DETAILS				
	Bid summary must be completed and indicate what returnable documents will be submitted.				
14.3	PART 3: COMPLIANCE TO SPECIAL CONDITIONS OF BID AND NOTING OF EVALUATION CRITERIA				
	Bidders must complete C3. Indicating compliance/non-compliance or noted. In case of non-compliance details and referencing to the specific paragraph is required.				
14.4	PART 4: SARS TAX STATUS				
	The bidder must be in compliance with SARS and such information will be verified with Central Supplier Database (CSD). In case of a consortium/ joint venture, or where sub-contractors are utilised, each consortium/ joint venture member and/or sub-contractor (individual) must be in compliance with				

	SARS and the information will be verified on Central Supplier Database (CSD).				
14.5	<u>PART 5:</u> Certificate of Authority to Sign a Bid Declaration of Interest	Yes	No	Noted	If no, indicate deviation
14.5.1	Bidders must complete and submit the Declaration forms. A bidder must complete the relevant part of the document and it must indicate who is delegated to communicate or deal with Ithala. Any other irrelevant sections to the tendering entity must be marked 'N/A'.				
14.6	PART 6: JOINT VENTURE/CONSORTIUM AGREEMENT				
14.6.1	A copy of the joint venture/consortium agreement must be included.				
14.7	PART 7: TECHNICAL PROPOSAL/FUNCTIONALITY PROPOSAL				
14.7.1	Bidders must, at least:				
14.7.1.1	Describe, in detail, exactly how they propose to carry out the activities to achieve the outcomes identified in the terms of reference. They should identify any possible problems that might hinder delivery and indicate how they will avoid or overcome such problems.				
14.7.2	The bidder must confirm, by providing letters of reference from previous/current clients including contact details, for the previous, current or ongoing projects of similar nature. This will be verified by Ithala.				
14.8	PART 8: DEVIATIONS FROM REQUEST FOR BID	Yes	No	Noted	If no, indicate deviation
14.8.1	Please indicate deviations or modifications to this Request for Bid on form C15				
14.8.2	If no deviations are required, please mark the form "Nil" and sign				
14.9	PART 9: PRICING SCHEDULE				
14.9.1	Any budget amount that may be indicated in this document shall be deemed to be a guide only and bidders are expected to submit a costing that is fair and reasonable.				

14.9.2	A proposed pricing schedule with one of the specified elements (fees and reimbursable costs) omitted from the costing, may be considered non-responsive.				
14.10	PART 10: PROCUREMENT TIMELINES				
14.10.1	This part of a bid documents informs bidders when the bid process is expected to be finalised. It may not necessarily be followed.				
14.10.2	Terms of reference (TOR) are the requirements by Ithala. When a proposal is submitted, a bidder must be certain that TOR are understood and has the capacity to offer a specified service.				
14.11	PART 11: ANNEXURES				
14.11.1	Bidder must insert all their additional annexures in part 11. This can include professional registrations, insurances etc.				
14.12	VAT				
14.12.1	Ithala is a VAT Vendor. Prices quoted must include VAT (where applicable).				
14.12.2	Ithala reserves the right to request the preferred bidder to register for VAT if the award is anticipated to be in excess of R1m for 12 consecutive months as the VAT Act requires.				
15	PRESENTATIONS				
15.1	Ithala reserves the right to invite bidders for presentations before the award of the bid.				
15.2	Presentation may affect the points awarded for functionality.				N/A
16	NEGOTIATION	Yes	No	Noted	If no, indicate deviation
16.1	Ithala has the right to enter into negotiation with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.				
16.2	Ithala shall not be obliged to accept the lowest or any financial offer or proposal. Furthermore, Ithala reserve the right not to award the tender to highest ranking bidder in terms of SCM Policy.				

16.3	All bidders will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties.				
17	DOMICILIUM				
17.1	The parties hereto choose <i>domicilium citandi et executandi</i> for all purposes of and in connection with the final contract as follows:				
	Ithala Trade Centre 29 Canal Quay Road (for GPS 29 Signal Road) Point Waterfront Durban				
18	COST OF BID PREPARATION				
18.1	Bidders shall prepare and submit a bid at their own expense.				
19.	SITE INSPECTIONS				
19.1	Ithala reserves the right to carry out site inspections of bidders to establish suitability of properties, vehicles, etc. to perform services effectively and efficiently				
20	BID VALIDITY PERIOD				
20.1	Bid will be valid for a period of 90 days				
20.2	The bidder must hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.				
20.3	If requested by the employer, the bidder must consider extending the validity period stated in the tender data for an agreed additional period.				
21	ISSUE ADDENDA	Yes	No	Noted	If no, indicate deviation
21.1	If necessary, the employer may issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until seven days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, shall then notify those tendering entities appearing on the attendance list				

21.2	Tenderers must sign the attendance list in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list				
21.3	The bidder must acknowledge receipt of addenda to the tender documents, which the employer may issue.				
22	SUBMITTING OF FRAUDULENT DOCUMENTS				
22.1	Ithala will disregard the bid of any bidder if that bidder or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.				
22.2	Ithala will list bidders/ directors in the list of restricted suppliers and they will not conduct any business with an organ of state.				
22.3	All documentation will be verified and bidders who have submitted fraudulent documentation will be disqualified from further evaluation and reported to the relevant authorities.				

23	<u>EVALUATION ON PRICE AND SPECIFIC GOALS</u>	Yes	No	Noted	If no, indicate deviation
23.1	Price and specific goals evaluation will performed on bidders who qualified for Stage 1 above.				
23.2	All prices submitted may be subject to negotiation				
24	ADJUDICATION OF BID				
24.1	The Bid Adjudication Committee will consider the recommendations and make the final award.				
24.2	The bid shall be awarded at the sole and absolute discretion of Ithala. Ithala hereby represents that it is not obliged to award this bid to any bidder. Ithala is entitled to retract this bid at any time as from the date of issue. Ithala is not obliged to award this bid to the bidder that quotes the lowest.				
24.3	A bidder shall be disqualified from bidding if any attempt is made either directly to solicit and/or canvass any information from any employee or agent of Ithala regarding this bid from the date the offer is submitted until the date of award of the bid.				

25	Awarding of contract				
25.1	Ithala reserves the right to award this bid in full or in part.				
25.2	An Ithala SLA will be utilised to manage the relationship, once a scope of works has been issued and agreed upon				
26	CONTRACT PERIOD				
26.1	The contract will be for a period of three years from date of appointment.				

C.5 CERTIFICATE OF AUTHORITY TO SIGN A BID

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category.

(I) COMPANY	(II) CLOSE CORPORATION	(III) PARTNERSHIP	(V) SOLE PROPRIETOR	(VI) JOINT VENTURES

i. CERTIFICATE FOR COMPANY

I,, chairperson of the Board of Directors of, hereby confirm that by resolution of the Board (copy attached) taken on 20....., Mr/Ms, acting in the capacity of, was authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of the company.

Chairman:

As Witnesses:

Date:

ii. CERTIFICATE FOR CLOSE CORPORATION

We, the undersigned, being the key members in the business trading as.....

..... Hereby authorise Mr/Ms..... acting in the capacity of, to sign all documents in connection with the tender for

Contract No: and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

Note: This certificate is to be completed and signed by all the key members upon whom rests the direction of the affairs of the Close Corporation as a whole.

iii. **CERTIFICATE FOR PARTNERSHIP**

We, the undersigned, being the key partners in the business trading as,
..... hereby authorize Mr./Ms.
acting in the capacity of, to sign all documents in
connection with the tender for Contract No and any contract resulting from
it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

Note: This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.

iv. **CERTIFICATE FOR SOLE PROPRIETOR**

I,, hereby confirm that I am the sole owner of the
business trading as.....

Signature of Sole owner:

As Witnesses:

1.....

2.....

Date:

v. CERTIFICATE OF AUTHORITY FOR JOINT VENTURES

This Returnable Schedule is to be completed by **EACH member** of a joint venture submitting a tender.

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms....., authorised signatory of the Company.....acting in the capacity of lead JV partner, to sign all documents in connection with the tender offer and any contract resulting from it on our behalf as a joint venture.

NAME OF JV ORGANIZATION.....

ADDRESS:
.....

DULY AUTHORISED SIGNATORY NAME

DESIGNATION:

SIGNATURE

DATE:.....

C.6 CERTIFICATE OF ATTENDANCE AT COMPULSORY BRIEFING SESSION

This is to certify that

(tenderer).....

of (address)

.....

..... was represented by the
person(s) named below at the compulsory meeting held for all tenderers at: -

Date	Time	Site
23 February 2023	13h00	MS TEAMS

I / We acknowledge that the purpose of the meeting was to acquaint myself / ourselves with the site of the works and / or matters incidental to doing the work specified in the tender documents in order for me / us to take account of everything necessary when compiling our rates and prices included in the tender.

Particulars of Bidder's representative attending the meeting:

Name: Signature:

Capacity:

Attendance of the above person(s) at the meeting is confirmed by the Ithala's
representative, namely:

Name: Signature:

.....

Capacity:

C.7 PROCUREMENT TIMELINES

PROCUREMENT TIMELINE	DATE	TIME
RFP Release Date	13 February 2023	09h00
Briefing session	22 February 2023	13h00
Written questions of clarification – closing date	01 March 2023	16h00
Written response to all clarifications	03 March 2023	16h00
Service Provider Proposals Due	14 March 2023	11h00
Completion of Bid Evaluations	14 April 2023*	16h00
Anticipated letter of Award	02 June 2023*	16h00
Commencement Date	05 June 2023*	09h00

***Indicative dates**

C.8 TERMS OF REFERENCE

1. PURPOSE

- 1.1.** Ithala Development Finance Corporation (IDFC) has identified the need to appoint a consultant or consulting firm to assist with its objective of obtaining syndication funding to expand the properties and business finance business.
- 1.2.** Given the specialist nature of the assignment, the consultant or firm of consultants, with the requisite skills, are to be appointed to provide Transaction Advisory and Capital Raising services within a maximum period of 3 years.

2. BACKGROUND

- 2.1.** IDFC is one of the primary drivers of economic development in KwaZulu-Natal and a strategic enabler of support for the province's historically disadvantaged communities.
- 2.2.** IDFC has two strategic operating units viz. Business Finance and Properties that provide a range of financial and property services throughout KwaZulu-Natal.
- 2.3.** IDFC is one of the largest property landlords in KwaZulu-Natal and is ideally placed to service the various business sectors, spread through-out the province.
- 2.4.** The portfolio consists of 1 .2 million square metres of gross lettable area including industrial properties, retail and commercial facilities, and a small portfolio of SMME factory units spread throughout the province. Tenant mix ranges from small craft markets to national chain stores in the retail portfolio, SMME factory units, light industrial parks and large industrial factories anchored by large manufacturers.
- 2.5.** IDFC Properties undertakes the development and management of industrial and commercial related projects. These projects relate to the development of new industrial and commercial properties as well as the redevelopment and expansion of existing properties. These activities are geared towards stimulating economic growth.
- 2.6.** Business Finance provides business loans mainly to small, medium and micro (SMME) businesses with most clients being in the agricultural sector, franchising, supplier contracts, trade and services, construction and infrastructure.
- 2.7.** Key lending products include micro loans, commercial property finance, agri-finance, working capital, structured finance and asset finance.

- 2.8.** The strategy is to grow and diversify the loan book significantly in the next two years.
- 2.9.** The lending operations have a proactive developmental agenda focusing on black, women and youth owned enterprises.
- 2.10.** To assist businesses to remain sustainable IDFC also provides post-investment support to clients.

3. PROJECT OBJECTIVES

- 3.1.** The overall objective of the request for proposal is to secure the services of an experienced consultant/s for a period not exceeding 3 years to assist IDFC with forming syndicates for purposes of obtaining funding, to grow the Properties and Business Finance businesses.
- 3.2.** The proposed types of syndication funding are as follows but are not limited to:
 - 3.2.1. Strategic partnerships with private funders.
 - 3.2.2. Strategic partnerships with other Development Finance Institutions (DFI's)
 - 3.2.3. Access to grant funding
- 3.3.** The service provider must be a specialist in investment management with a financial qualification and must have demonstrable experience in working with syndication funding.
- 3.4.** The service provider must have experience in dealing with public entities and must have a thorough working knowledge of the Public Finance Management Act (PFMA) and other governance requirements and related legislation for public entities.
- 3.5.** The service provider is required to provide a detailed project costing.
- 3.6.** The service provider is required to provide a timetable of the work to be undertaken with milestones to be achieved.
- 3.7.** The service provider or resource providing transaction advice must be registered with the Financial Service Board.

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4. SCOPE OF SERVICES

The following are services required by IDFC but not limited to:

- 4.1. Professional services of a core member or team in the investment management field for the entire assignment from inception to close out.
- 4.2. Management on behalf of IDFC of the entire process necessary for the conclusion of syndicate funding engagements. Lead all liaison and correspondence with potential funders.
- 4.3. Identify potential providers of Capital.
- 4.4. Preparation of a project plan with milestones and timelines for each project that funding is being sourced.
- 4.5. Motivate applications to potential funders and determine their appetite and requirements.
- 4.6. Negotiate favourable funding terms, conditions and covenants.
- 4.7. Obtain all required governance approvals – including IDFC Board, MEC: EDTEA, Provincial MEC: Finance, Minister of Finance and the relevant Treasury
- 4.8. Collate and submit all information required by funders – work with IDFC team.
- 4.9. Manage the submission and vetting of applications and funding agreements.
- 4.10. Provide fortnightly progress reports to the Group Chief Financial Officer and Group Chief Executive of IDFC
and present progress reports to the Board Syndication Funding Committee as and when required.
- 4.11. Successfully conclude the assignment within agreed timelines.

5. RATES

- 5.1. Service providers will be remunerated, in line with the agreed upon fee structure and fee amounts, on the achievement of key milestones to be included in the service level agreement.
- 5.2. Supplementary consultants or any other services or requirements that fall outside the scope of the consultant will be remunerated at cost (evidence that the cost is market related will be required).
- 5.3. All rates and costs are subject to negotiation by IDFC.

6. PROPOSAL REQUIREMENTS

6.1. Proposals must be clear, concise, comprehensive and must directly address the specific requirements.

6.2. The service provider will, in combination with their capacity descriptions and resource resumes with qualifications, demonstrate their experience in providing similar services on prior work by providing references from other clients.

6.3. The Proposal must include the following:

6.3.1. A description of the approach to be used to address the project objectives and scope of services.

6.3.2. References for completion of works - you are required to provide three (03) client reference letters, from successful assignments, which must include the following:

- Name of client
- Description of project
- Contract period

6.3.3. Key resources and skills - you are required to provide the following documentation for the Lead consultant .

- Comprehensive Resume (CV).
- Financial or related Qualification with the minimum qualification being a National Diploma - certified copies of certificates.
- Minimum of five (5) years' experience in Transaction Advisory and Capital Raising.
- Minimum of five (5) years' experience in dealing with public entities.

6.3.4. Consultant

- Comprehensive Resume (CV).
- Financial or related Qualification with the minimum qualification being a National Diploma - certified copies of certificate.
- Minimum of Two (2) years' experience in dealing with public entities.

6.3.5. The price proposal must contain an indicative fee structure and amount in R (including VAT) for the provision of Transaction Advisory and Capital Raising services under the following project values:

- Projects exceeding R 5 million but less than R 500 million
- Projects exceeding R 500 million but less than R1 billion
- Projects exceeding R 1 billion but less than R 2 billion
- Projects exceeding R 2 billion

The bidder must clearly indicate the assumptions underpinning the proposed fee structure and percentage.

5. EVALUATION PROCESS & CRITERIA

C.81 The evaluation shall be conducted into three (3) stages as follows

C.8.1.1 Administrative Compliance

C.8.1.2 Functionality Evaluation

C.8.1.3 Price and Preference Points

C.8.1.1 ADMINISTRATIVE COMPLIANCE

All bids duly lodged will be examined to determine compliance with bidding requirements and conditions. Bids with obvious deviations from the requirements/conditions, may be eliminated from further adjudication.

1	<u>STAGE ONE: ADMINISTRATION COMPLIANCE</u>	Yes	No	Noted	If no, indicate deviation
1.1	<p>Mandatory</p> <p>Bids will only be compliant if bidder has submitted the following documents:</p> <ul style="list-style-type: none"> The bidder must registered as a vendor on the National Treasury Central Supply Database (CSD), which can be found at https://secure.csd.gov.za/ in compliance with National Treasury compliance paragraph 4.2 with instruction note 4a of 2016/2017 The bidder must be in good standing with SARS and such information will be verified through Central Supply Database (CSD) or using SARS e-filing pin in National Treasury compliance with instruction note 9 of 2017/2018 prior to the award of the bid; SBD 4- A completed and duly signed declaration of interest. Should a conflict of interest be declared or identified, the bid would be declared non-responsive. NB Bidder must ensure all pages are complete of all questions answered, you are indicating not applicable (N/A) where appropriate. Compulsory briefing session proof of attendance 				
1.2	STAGE TWO: FUNCTIONALITY REQUIREMENTS				

1.2.1	Responsive bids will be evaluated according to the criteria indicated in C.9.				
1.3	STAGE 3: PRICE AND SPECIFIC GOALS				
1.3.1	Price evaluation will be performed on bidders who qualified for stage 1 and 2 above				

C.8.1.2 FUNCTIONALITY- EVALUATION CRITERIA

The minimum score on functionality is 70 points. Only bids meeting or exceeding the stipulated Minimum threshold of 70 points will be considered for Price and Specific goal Evaluation Functionality- The Quality and Maximum Score in Respect of Each of the Criteria are as follows:

Technical Criteria	Description	Weight	Score	Total
Proposal Approach	The bidder to provide a proposal detailing an approach aligned to the project objectives and scope of services for this project. (As indicated on 24 and 25 page)	10		
	<ul style="list-style-type: none"> A comprehensive approach that addresses the project objectives and the scope of service and for this project = 10 points An adequately approach that addresses the project objectives and the scope of service and for this project = 5 points The approach does not address the scope of service and project deliverables for this project or no submission= 0 point 			
Client References	Previous Client References for completion of similar consulting work	25		
	Bidders are required to provide at least three client reference letters not later than 10 years, which must include the Name of client, Description of project , Contract period Scoring guide and client's contact details <ul style="list-style-type: none"> More than 3 Client reference letters = 25 points At least 3 Client reference letters = 15 points Less than 3 client reference letters = 0 point Does not meet minimum requirements or no submission = 0 point			
Company's Experience	The bidder to indicate value of funding obtained in syndication funding:	40		
	<ul style="list-style-type: none"> Funding obtained for projects more than R 2 billion = 40 points 			

	<ul style="list-style-type: none"> • Funding obtained for projects more than R 1 billion but less than R 2billion= 30 points • Funding obtained for projects more than R 500 million but less than R1 billion = 20 points • Funding obtained for projects more than R 5 million but less than R 500 million = 10 points • Funding obtained for projects less than R 5 million or no funding obtained, or all applications were unsuccessful = 0 point <p>Scoring guide: Company experience to be capture on page 33</p>			
Capacity of the Bidder	The Bidder to demonstrate their capacity by providing a comprehensive resume with qualifications	25		
	<ul style="list-style-type: none"> • Degree or higher qualification (NQF level 7 or higher) in Financial or related Qualification = 5 points • National Diploma (NQF level 6) in Financial or related qualification = 3 points • No Financial or related qualification = 0 point 	5		
	Minimum of five (5) experience in Transaction Advisory and Capital Raising.	15		
	<ul style="list-style-type: none"> • More than 5 years' experience in Transaction Advisory and Capital Raising = 15 points • 5 years' experience in Transaction Advisory and Capital Raising = 10 points • Less than 5 years' experience in Transaction Advisory and Capital Raising or no experience in Transaction Advisory and Capital Raising = 0 point <p>Note:</p>			
	Minimum of five (5) experience in dealing syndication funding with public entities <ul style="list-style-type: none"> • More than 5 years' experience in dealing with public entities=5 points • 5 years' experience in dealing with public entities= 3 points • Less than 5 years' experience in dealing with public entities or no experience in dealing with public entities = 0 point 	5		
Total Points				100

C.8.1.3 PRICE AND PREFERENCE POINTS (SPECIFIC GOALS)

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Blacks	5	
Women	5	
Youth	5	
People living with disability	5	
TOTAL POINTS	20	

C.9 PROPOSED FEES/ PRICING

Pricing Instructions

1. The bidder must price all item
2. All amounts to include VAT.
3. Offer to be valid for 90 days from the bid closing date.

Pricing Schedule Final Summary

NAME OF BIDDER:

APPOINTMENT OF A SERVICE PROVIDER TO RAISE CAPITAL FUNDING FOR ITHALA DEVELOPMENT FINANCE CORPORATION LIMITED FOR A PERIOD OF THREE (3) YEARS

DESCRIPTION Project Funding Categories	Cost recovery percentage (%) for preparatory work	Commission percentage (%) on funding secured
Projects exceeding R 5 million but less than R 500 million		
Projects exceeding R 500 million but less than R1 billion		
Projects exceeding R 1 billion but less than R2 billion		
Projects exceeding R 2 billion		

The bidder must clearly indicate the assumptions underpinning the proposed fee structure and percentage.

IDFC reserves the right to negotiate all costs in compliance with approved budget.

IDFC reserves the right to negotiate the terms and conditions of the funding.

Tenderer's signature.....

CALCULATION OF THE TOTAL PRICE FOR EVALUATION PROCESSES:

Projects Funding Categories	Funding Sourced by Bidder	Weight	% for sourcing Funding	Fee	Weighted
Formula		= Funding Sourced by Bidder/ Total Funding sourced %		= Funding Sourced by Bidder * %for sourcing Funding	= Weight* Fee
Projects exceeding R 5 million but less than R 500 million	R .....	.....%	.....%	R	R
Projects exceeding R 500 million but less than R1 billion	R .....	.....%	.....%	R	R
Projects exceeding R 1 billion but less than R 2 billion	R .....	.....%	.....%	R	R
Projects exceeding R 2 billion	R .....	.....%	.....%	R	R
Total Funding sourced	R				
TOTAL BID PRICE that will be used for evaluation purposes, the actual award and SLA will be based on the funding % as indicated on the table (Proposed Fee)					

NB: BIDDERS MUST NOT COMPLETE THE TABLE ABOVE

Company's Experience: The bidder to indicate value of funding obtained in syndication funding.

Project Funding Categories	Name of Client	Description of Project	Value of the Funding obtained	Contact details: Telephone/Cellphone Email-address
Funding obtained for projects more than R 5 million but less than R 500 million				
Funding obtained for projects more than R 500 million but less than R1 billion				
Funding obtained for projects more than R 1 billion but less than R 2billion				
Funding obtained for projects more than R 2 billion				

C.12 BIDDER'S DISCLOSURE

SBD 4

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 interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.2. Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? YES/NO

2.2.1. If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 **DECLARATION**

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

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

..... Signature	..... Date
..... Position	..... Name of bid der

C.13 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) The 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:

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)} \end{array}$$

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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

P_{max} = 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 tender	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 tenderer)
Blacks	5	
Women	5	
Youth	5	
People living with disability	5	
TOTAL POINTS	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has

been applied; and

- (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

C.14 CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

.

2

.

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I in my capacity as..... accept your bid under reference numberdated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

--

WITNESSES

1

2

DATE:

C.15 DEVIATIONS FROM THE REQUEST FOR PROPOSAL

Should the bidder desire to make any departures from, or modifications to this Request for Proposal or to qualify its bid in any way, it shall clearly set out its proposals hereunder or alternatively state them in a covering letter attached to its bid and referred to hereunder, failing which the bidder shall be deemed to be unqualified and conform exactly with the requirements of this Request for Proposal.

If no departures or modifications are desired, the Schedule hereunder is to be marked "NIL" and signed by the bidder.

Unless otherwise specified specifically and stipulated in writing, the Contract constitutes the sole memorial of the Contract between the parties and any terms and conditions forming part of the bidder's Bid or other documentation shall not form part of the Contract and shall be of no force or effect.

PAGE NUMBER	CLAUSE NUMBER	DEVIATION

SIGNATURE OF BIDDER

DATE

C.16 BID SUMMARY AND DETAILS

We the undersigned submit this bid in accordance with the conditions contained in the referenced RFP document and attach the documents required:

No.	Description in detail	Documents Attached
A. Commercial Documents		(Yes/ No/ N.A.)
1.	Deviations from Request for Proposal	
2.	Covering letter	
3.	Entire Bid Document	
4.	CC or Company Registration Documents or copy of ID if sole propriety	
5.	In good standing with SARS and such information will be verified through Central Supply Database (CSD);	
6.	Declaration of Interest and Declaration of past SCM Practices	
7.	Joint Venture Agreement where applicable	
8	Attendance of Compulsory Site Briefing Certificate form	N/A
B. Technical Documents		
9	Reference letters	
10	Address details – office location in KZN	
11	Proof of Mimecast partnership	
12	One original document and one electronic (USB) copy of the bid document.	

Name

Date

Signature