



Request for Proposal

**PROVISION OF DIESEL FUEL TO CDC MARINE
VESSEL ZEMORA**

**Contract No.
CDC/98/21**

April 2021

Name of Bidder: _____

DOCUMENT CONTROL SHEET

The purpose of this form is to ensure that documents are reviewed and approved prior to issue. The form is to be bound into the front of all documents released by the CDC.

PROJECT NAME : PROVISION OF DIESEL FUEL TO CDC MARINE VESSEL ZEMORA

DOCUMENT TITLE : Request for Proposals

DOCUMENT No. : CDC-BD-REP-009-21

SIGNING OF THE ORIGINAL DOCUMENT

We, the undersigned, accept this document as a stable work product to be placed under formal change control as described by the Change Control Procedure document.

ORIGINAL	Prepared by	Reviewed by	Approved by
Date:	Name:	Name:	Name:
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Signature:	Signature:	Signature:	Signature:
April 2021	Digitally Signed by: Lindokuhle Ntanti Project Manager e9aa2f23-1178-403a-9e9f-673aedf972a6 IP Address: 10.0.56.170 Date: 2021/04/19 5:35:27 PM	Digitally Signed by: Asanda Vos Commercial 3b8553a1-c2fe-42b7-a547-60fa83ef1686 IP Address: 10.0.71.46 Date: 2021/04/19 5:49:46 PM	 Johan Fourie b10ba97d-8452-4215-923b-54586cb5d7c9 2021/04/20 10:34:58 AM

Distribution:	<i>Bid Specification Committee</i>
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INVITATION TO TENDER
CONTRACT NO CDC/98/21
PROVISION OF DIESEL FUEL FOR THE MARINE VESSEL

The Coega Development Corporation designed and built an Off Port Limits (OPL) Service Vessel of modern design and technology to provide a reliable and safe services to marine vessels in the bay. By participating in the maritime industry, the CDC is realizing its vision to increase its participation in the development of this

The Coega Development Corporation (CDC) seeks to appoint a Port Licensed 50ppm service provider to provide diesel fuel for the CDC Marine Vessel for a period of three (3) years. The service provider will refuel the marine vessel with a 2000l capacity fuel tank, as and when required. The fuel required will depend on vessel efficiency, vessel usage and fuel price.

CONDITIONS OF TENDER

- (a) Preference will be given to respondents who comply with the CDC's Procurement Policy & Procedures;
- (b) Public Finance Management Act (PFMA) shall apply. Preferential Procurement Policy Framework Act (PPPFA) 2000: Preferential Procurement Regulations, 2017 will apply.

The following scores will be determined as follows:

(i)	Price	-	80
(ii)	BBBEE Score	-	20

- (c) Bidders must be registered with CIPC (formerly CIPRO) as CDC will not award any tender to any business that is not registered with CIPC.
- (d) Bidders with less than 51% black shareholding (QSEs & Generics) are to submit a valid SANAS Accredited B-BBEE Verification Certificate (with the full applicable B-BBEE elements) Bidders with more than 51% black shareholding (EMEs & QSEs) are to submit a sworn affidavit stamped and signed by the Commissioner of Oaths as per the DTI B-BBEE template. In case of a JV, a consolidated B-BBEE certificate must be submitted as well as individual B-BBEE Certificates/affidavit of their entities to confirm the type of enterprise;

- (e) The empowerment and development objectives (33% SMME Involvement) will be controlled by implementing the procedure listed in (f) below, where the bidder in terms of the Amended BBEE Codes is a Generic Entity (Turnover of over R50mil).
- (f) The appointed service provider is encouraged to sub-contract entities from previously disadvantaged groups (black, female and/or with disability) and/or local (within NMBM) black-owned companies (with a turnover of less than R50mil), where scope and credentials permit.
- (g) Proof of registration with Treasury's Centralized Supplier Database (CSD) or provide a Treasury CSD registration number e.g. MAAA0;
- (h) CDC will only award the tender to a bidder who is tax compliant. The tax compliance status of the bidders will be verified through CSD and SARS website, therefore prospective bidders must ensure that they are Tax Compliant throughout the validity period of the bid in review;
- (i) Public Servants are prohibited from conducting any form of business with organs of state, whether in their own capacity as individuals or through companies in which they are directors. Verification will be done and bidders will be disqualified should they be found to be in contravention with the regulations. A letter of confirmation must be provided with this bid document should a bidder have been granted permission by National Treasury to conduct business with an organ of state.
- (j) The successful bidder will be required to comply with the Occupational Health and Safety Act and Regulations, Act (85 of 1993) and Compensation for Occupational Injuries and Disease Act, Act (130 of 1993) and, all relevant and applicable legislations. Upon appointment of the successful bidder, the service provider will be required to develop Occupational Health, Safety and Environmental Management Systems to comply with the SANS Norms and Standards. CDC SHEQ Unit will monitor compliance and implementation of the Occupation Health and Safety, Environmental and Quality requirements for the duration of the contract.
- (k) The tender validity for this project is twelve (12) weeks from closing date.

RFP documents will be available for download from the CDC Website (www.coega.co.za) from **FRIDAY, 21 May 2021** from **10:00**, at **NO COST**.

Due to the outbreak on COVID-19, a non-mandatory briefing meeting will be conducted via Microsoft teams Friday, 28 May 2021 at 10h00, however, the briefing minutes will be made available to all the bidders who downloaded the RFP document from the CDC Website.

Bidders will be requested to send electronic mails via tenders@coega.co.za, for any enquires related to the bid, between the periods of 21 May 2021 to 04 June 2021. CDC will compile a schedule of questions & answers and send to all the bidders that have downloaded the documents. No new queries received after 04 June 2021 will be entertained;

The closing date and time for the receipt of completed proposals is **12h00 on Monday, 14 June 2021** at the **Reception desk** of the **CDC main office**, Coega Business, **Corner Alcyon & Zibuko Street, Zone 1, Coega SEZ, Port Elizabeth**. Bids will not be opened in public and no late submissions will be considered.

One original of the completed bid document shall be placed in a sealed envelope clearly marked:

“CDC/98/21 – PROVISION OF DIESEL FUEL TO CDC MARINE VESSEL ZEMORA”

Failure to provide any **mandatory information** required in this bid will result in the submissions being deemed non-responsive.

Telegraphic, telexed, facsimiled or e-mail submissions will not be accepted.

No telephonic or any other form of communication with any other CDC member of staff, other than the named individual below, relating to this request for tender will be permitted. All enquiries regarding this tender must be in writing only, and must be directed to:

Zine Mtanda, Unit Head: Supply Chain Management; e-mail: tenders@coega.co.za.

The CDC reserves the right not to accept the lowest proposal in part or in whole or any proposal.

SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	CDC/98/21	CLOSING DATE:	14 June 2021	CLOSING TIME:	12:00
DESCRIPTION	PROVISION OF DIESEL FUEL TO CDC MARINE VESSEL ZEMORA				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Coega Business Centre, Cnr Alcyon Road and Zibuko Street					
Zone 1, Coega SEZ, Port Elizabeth					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	SCM Unit Head: Zine Mtanda		CONTACT PERSON	N/A	
TELEPHONE NUMBER	Not allowed to phone		TELEPHONE NUMBER	N/A	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	tenders@coega.co.za		E-MAIL ADDRESS	N/A	
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
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		TICK APPLICABLE BOX] ☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			☐ YES ☐ NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			☐ YES ☐ NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			☐ YES ☐ NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			☐ YES ☐ NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			☐ YES ☐ NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B TERMS AND CONDITIONS FOR BIDDING

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

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

SIGNATURE OF BIDDER:

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

DATE:

.....
.....

1. INTRODUCTION AND BACKGROUND

The CDC has been exploring economic opportunities in the maritime industry for several years, with the intention to exploit its organizational strength and Coega Spatial Economic Zone's (SEZ) close proximity to a deep-water port and to contribute to the growth of maritime economy in the region. The growth of the Maritime industry in the Province would diversify the economy of the region and contribute to the much needed economic growth, maritime skills development and local jobs, if managed correctly.

In the past CDC identified Ship to Ship (STS) bunkering as a pivotal enabler for growing maritime industry in the Eastern Cape. Due to CDC's involvement the first STS bunker operator started in April 2016 and a second operator followed suit 2019. The South African Maritime Safety Authority (SAMSA) reported that over 80 extra vessels a month called at Algoa Bay for bunker and other maritime services, resulting in significant GDP contribution for the government, international and local companies.

Due to increased shipping activities in Algoa Bay, the CDC designed and built an Off Port Limits (OPL) Service Vessel of modern design and technology to provide a reliable and safe services to vessels in the bay. By participating in the maritime industry, the CDC is realizing its vision to increase its participation in the development of this sector and further entrench itself in the industry.

The CDC thus invites marine fuelling companies to respond to the Request for Proposal for the Appointment of a panel of Service Providers to provide Fuel Delivery Services at the Port of Gqeberha (Port Elizabeth) and Port of Ngqura for a period of three (3) years.

2. SCOPE OF WORK AND TERMS OF REFERENCE

The CDC is looking to procure the services of a port licensed 50ppm diesel fuel provider over a 3-year period. The appointed service provider will refuel a marine vessel with a 2000L capacity diesel fuel tank, as and when required. The fuel required will depend on vessel efficiency, vessel usage and fuel price. The CDC will assess the successful bidder on the best per liter rate – which will be the sum of the given a DoE base rate and the mark-up.

The appointed service provider must have a wholesale license/permit to ensure best possible diesel fuel rate per litre and compliance with regulation and relevant tax standards. The appointed provider must price in relation to Zone 1A pricing as regulated by the Department of Energy.

The competent service providers will be required to deliver fuel within the port environment, while in possession of the necessary permits and licencing from the Port Authority:

- i. As and when requested by CDC, the provider to supply and deliver quality SABS approved 50ppm automotive diesel to all of the following ports:
 - a. Port of Ngqura,

- b. Port Elizabeth,
 - ii. No biodiesel to be supplied.
 - iii. The bidder must be able to supply diesel at short notice (within 36 hours after an order is issued) when the need arises.
 - iv. The bidder delivers only to the vessel while on the water and moored in harbour.
 - v. The bidder supplies a minimum of 500 L up to 2 000 L per delivery/bowser to the vessels per order.
 - vi. Where the CDC's marine vessel requires fuelling, delivery is on the quayside and into the vessel's fuel tanks.
 - vii. The bidder must adhere to the strict regulatory requirements for liquid fuels stipulated by the Department of Energy, which are hazardous commodities.

The service provider must ensure continuity of service by a suitably qualified team that is physically based in PE in instances when they will be required as per specifications.

Projected estimated fuel quantity requirements based on the estimated usage is depicted per year on the Table below. This does not constitute a fixed requirement as there will be factors influencing demand for fuel quantities over the period that is determined by operational requirements and weather conditions. The quantities may be more or less over the duration of the contract and the successful service provider will be appointed and be paid according to the quantities delivered and the rate tendered per litter. Fuel rate fluctuations will be taken into account as per the prescribed rates by the Department of Energy.

YEAR 1	115 000 LITRES
YEAR 2	115 000 LITRES
YEAR 3	118 000 LITRES
TOTAL	348 000 LITRES

The CDC therefore requests that the following is noted:

- The CDC is aware that the service providers can only use the prescribed Department of Energy price.
- The CDC is also aware that the DoE price changes each month, which will be taken into account in the supply agreement.
- The price/rate should be given as a sum of the DoE price in Zone 1A plus the margin the service provider adds-on - to account for various fees (e.g. delivery cost) that are involved in supplying the fuel to the vessel.
- The price you submit will be used to evaluate your proposal against other suppliers.

3. SELECTION CRITERIA

- a) The two (2) preferred service providers will be utilised on a rotational basis depending on their availability during the time of need;
- b) Their prices will be negotiated to be within the same range and market related.

4. BID EVALUATION CRITERIA

The bid evaluation process will consist of the following stages:

- a. Responsiveness Assessment
- b. Quantitative Assessment
- c. Qualitative Assessment

4.1. Responsiveness Assessment

The following criteria will be used in assessing the responsiveness of tenders:

Table 1: Mandatory Requirements to be submitted

ITEM NO.	DESCRIPTION
(1)	Completed and signed Invitation to Bid Form (SBD 1). In case of a Joint Venture/Consortium, a separate SBD 1 form in respect of each party to the JV must be completed and submitted.
(2)	Signed letter of intent to enter into Joint Venture/Consortium. To be signed by all parties. (Where applicable).
(3)	Authority of Lead Partner to sign JV/Consortium documents. To be signed by all parties in the JV. (Where applicable).
4	Bidders must submit a hand written original Pricing Schedule, fully completed and clearly legible with permanent ink and signed
(5)	Completed and Signed Form of Offer.
(6)	Completed and signed Declaration of Interest Register (SBD 4). In case of a Joint Venture/Consortium, a separate declaration of interest form in respect of each party to the JV must be completed and submitted.
(7)	Completed and Signed Declaration of Bidder's Past Supply Chain Management Practices (SBD 8). In case of a Joint Venture/Consortium, a separate SBD 8 in respect of each party to the JV must be completed and submitted.
(8)	Completed and signed Certificate of Independent Bid Determination (SBD 9). In case of a Joint Venture/Consortium, ONE consolidated Certificate of Independent Bid Determination in respect of the JV must be completed and submitted

(9)	Valid proof of Wholesale Permit for fuel supply and TNPA Bunkering License for Port of PE and Port of Ngqura?
(10)	Bidders are required to submit a least two (2) reference letter from the clients as proof that the bidder has provided satisfactory fuelling service in the past five (5) years.
(11)	The bidders are to provide the CV's of the key personnel as Onsite Bunker Operations Manager/Technician. All CV's submitted must clearly indicate the minimum two (2) years of experience and outlining all the duties and responsibilities in relation to the safe delivery of fuel in the Marine Environment.

NB: Failure to submit and complete all mandatory information will result in submissions being deemed null and void and shall be considered "non-responsive" and therefore not considered.

Table 2: PROJECT SPECIFIC REQUIREMENTS/ ADDITIONAL INFORMATION

The following additional information will be required as part of the tender submissions:

ITEM NO.	DESCRIPTION
(1)	Bidders with less than 51% black shareholding (QSEs & Generics) are to submit a valid SANAS Accredited B-BBEE Verification Certificate (with the full applicable B-BBEE elements). Bidders with more that 51% black shareholding (EMEs & QSEs) are to submit a sworn affidavit stamped and signed by the Commissioner of Oaths as per the DTI B-BBEE template. In case of a JV, a consolidated B-BBEE certificate must be submitted as well as individual B-BBEE Certificates/affidavit of their entities to confirm the type of enterprise
(2)	Completed and signed Form SBD 6.1 preference points claim form in terms of the Preferential Procurement Regulations 2017 (refer to the Affidavit template).
(3)	Supporting documents on project imperatives: (i) Plans for promoting and managing safety, health and environmental issues during execution of deliveries.
(4)	Access/Ownership (availability) of equipment.
(5)	Provide information of key contact persons for purposes of delivering the diesel and managing the accounts.

4.2. Quantitative Assessment

Bids that achieve the minimum threshold for functionality will be evaluated further on Price and B-BBEE.

Bids will be evaluated according to the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2017. The 80/20 preferential point system. The lowest acceptable tender will be used to determine the applicable preferential point system

Table 6: Allocation of Points

Area of Adjudication	Maximum Points
Tendered Price (S_P)	80.00
B-BBEE Points (S_E)	20.00
Total Points (S)	100.00

PREFERENCE POINT SYSTEMS

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

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

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

4.3. Qualitative Assessment

A Qualitative Assessment will be conducted on the top three (3) highest scoring bidders to determine the acceptable lowest tender price and to ascertain other possible risks about the bidder's capacity, past performance and risks i.e. financial etc. The prices will be scrutinized to check for arithmetic errors to communicate with the bidders to acknowledge and decide if their bottom-line price still stands. Tender offers were compared against the cost estimate as well as the market average to confirm if the tender offers are market-related with no risks around the pricing. The bidders will be assessed on their procurement integrity to establish whether the bidder or any of its directors been convicted of a corrupt or fraudulent act in competing for or executing any contract, whether the bidder or any of its directors is currently government employees and whether there is conflict of interests and/ or collusion. The bidders will also be checked if they do not appear

on the National Treasury's Database of Restricted Suppliers and the Register for Tender Defaulters.

5. DISQUALIFICATION

Bidders will be immediately disqualified if, during the tendering stage or during the tender evaluation and adjudication stage or after the contract has been awarded, they are found to have conducted or committed any of the following:

Bid Submissions may be disqualified or disregarded if:

- (a) The bid is non-responsive in terms of meeting the requirements of tender as stipulated in the tender documents;
- (b) There has been an effort by the bidder, representative of the bidder or acquaintance of the bidder to influence the processing of submissions which may be interpreted as a corrupt or fraudulent act or improper conduct;
- (c) The bidder has communicated with other members of CDC Member or CDC Agent about the Contract other than the specified contact person;
- (d) The bidder has misrepresented information submitted;
- (e) There is an evidence of Fraud, fronting, etc.;
- (f) The submission is late (as determined in this document);
- (g) The bid submission is faxed or e-mailed (or not on original documents);
- (h) The bid documents have been filled in pencil and/or have correction fluid markings; or not duly signed where changes are made;
- (i) Form of offer not signed as required;
- (j) Alternative bid has been submitted without the original bid; or
- (k) National Treasury's Database of Restricted Suppliers and the Register for Tender Defaulters

6. COPYRIGHT

Copyright of this Document is vested in the CDC. It cannot be copied, in whole or in part, in any form or in any format without the prior written consent of the CDC.

7. CONFIDENTIALITY AND MEDIA PROTOCOL

Any information relating to the submissions, through the process or otherwise shall be treated in strict confidence. The CDC reserves the right to announce the names of Bidders to the media. In submitting a response, a Bidder shall not be entitled to any information disclosed by another applicant to the CDC, which the CDC has determined to be of a confidential nature. The content and details of the evaluation of submissions will remain confidential to the CDC.

8. LIST OF ANNEXURES

Annexure A : SBD 1 Invitation to the BID

Annexure B : SBD 4 Declaration of Interest Form

Annexure C : SBD 8 Declaration of bidders Past Supply Chain Practices

Annexure D : SBD 9 Certificate of Independent Bid Determination

Annexure E : Pricing Schedule

Annexure F : SBD 6.1 Preference point claims form in terms of the Preferential Procurement Regulations 2017

Annexure G : EME AND QSE AFFIDAVIT TEMPLATES

ANNEXURE B – SBD 4 COMPULSORY DECLARATION OF INTEREST

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where:

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

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

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):

2.4 Company Registration Number:

2.5 Tax Reference Number:.....

2.6 VAT Registration Number:

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

¹“State” means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

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

2.7 Are you or any person connected with the bidder presently employed by the state? YES / NO

2.7.1 If so, furnish the following particulars:

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

Name of state institution at which you or the person
connected to the bidder is employed :

Position occupied in the state institution:

Any other particulars:

.....

.....

2.7.2 If you are presently employed by the state, did you obtain **YES / NO**
the appropriate authority to undertake remunerative
work outside employment in the public sector?

2.7.2.1 If yes, did you attached proof of such authority to the bid **YES / NO**
document?

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

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

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors / **YES / NO**

trustees / shareholders / members or their spouses conduct
business with the state in the previous twelve months?

2.8.1 If so, furnish particulars:

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

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

YES / NO

2.9.1. If so, furnish particulars:

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

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

YES/NO

2.10.1 If so, furnish particulars:

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

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

YES/NO

2.11.1 If so, furnish particulars:

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

Full details of directors / trustees / members / shareholders.

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

DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS ABOVE IS CORRECT.

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

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

ANNEXURE C – SBD 8 DECLARATION OF BIDDERS PAST SUPPLY CHAIN PRACTICES (FORM SBD 8)

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder or any of its directors have:
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on its database were informed in writing of its restriction by National Treasury after the <i>audi alteram partem</i> rule applied).	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of Section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access the Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender	Yes ☐	No ☐

	Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 3265445		
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

ANNEXURE D – CERTIFICATE OF INDEPENDENT BID DETERMINATION FORM

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. 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.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. 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 consortium³ will not be construed as collusive bidding.

³ 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.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation);
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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.
10. 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

ANNEXURE F

SBD 6.1: Preference Points Claim Form in Terms of The Preferential Procurement Regulations 2017

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

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

1. GENERAL CONDITIONS

1.1. The following preference point systems are applicable to all bids:

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

1.2.

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included)
- b) 80/20 preference point system will be applicable to this tender

1.3. Points for this bid shall be awarded for:

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

1.4. The maximum points for this bid are allocated as follows:

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

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

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

2. DEFINITIONS

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

2.2. **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act.

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

2.4. **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003).

2.5. **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad- Based Black Economic Empowerment Act.

2.6. **“Functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.

2.7. **“Prices”** includes all applicable taxes less all unconditional discounts.

2.8. **“Proof of B-BBEE status level of contributor”** means:

- a) B-BBEE Status level certificate issued by an authorized body or person.
- b) sworn affidavit as prescribed by the B-BBEE Codes of Good Practice.
- c) Any other requirement prescribed in terms of the B-BBEE Act.

2.9. **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act.

“Rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable tax

POINTS AWARDED FOR PRICE

2.10. THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for price of tender under consideration;

P_t = Price of tender under consideration; and

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

3. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

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

Non-compliant contributor	0
---------------------------	---

4. BID DECLARATION

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

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

5.1. B-BBEE Status Level of Contributor: = (maximum of 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

6. SUB-CONTRACTING

6.1. Will any portion of the contract be sub-contracted?

(Tick applicable box)

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

6.1.1. If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub- contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

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

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

Designated Group: An EME or QSE which is at least 51% owned by:	EME	QSE
Black people	√	√
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		

Any QSE		
---------	--	--

7. DECLARATION WITH REGARD TO COMPANY/FIRM

7.1. Name of company/firm:.....

7.2. VAT registration number:.....

7.3. Company registration number:.....

7.4. TYPE OF COMPANY/ FIRM [TICK APPLICABLE BOX]

7.5.

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

7.6. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

7.7. COMPANY CLASSIFICATION [TICK APPLICABLE BOX]

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

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

7.9. I/we, the undersigned, who is / are duly authorized to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct.
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.

- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - a) disqualify the person from the bidding process.
 - b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct.
 - c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
 - d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - e) forward the matter for criminal prosecution

WITNESS	
1.	
2.	

.....	
SIGNATURE(S) OF BIDDER(S)	
DATE	
ADDRESS	
	
	
	

ANNEXURE E – PRICING SCHEDULE

CDC/98/21: APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER TO PROVIDE FUEL TO CDC MARINE VESSEL ZEMORA

Pricing Special Conditions

1. Pricing Schedule remains unchanged for the duration of the contract with the CDC accepting no changes, extensions, or additional ad hoc costs to the pricing conditions of the contract with the exception of any price adjustments authorised in the Special Conditions of Contract for pricing set out below:

Price Adjustments: the following price adjustments with the rules for application are set out below as special conditions:

- Price adjustments and their corresponding rules are for the management of price risks on the basis of the CDC and the contracted bidder sharing the risk equally amongst the parties.
 - The Department of Energy regulates the wholesale price of diesel; the prices in this contract will be adjusted by the difference between the wholesale price prior to the Media Statement released by the Department of Energy and the wholesale price stated in the Media Statement.
2. **Vessel capacity:** The service provider will refuel the marine vessel with a 2000L capacity fuel tank, as and when required
 3. **Estimated quantities over the Contract Period:** The CDC provides estimated quantities in the included table depicting estimated fuel requirements in litres for a period of 12 months for a total of 3 years based on estimated usage of the vessel, MV Zemora. This does not constitute a fixed requirement as there are other factors influencing the demand for fuel quantities over the period i.e. operations requirements and weather conditions.
 4. **Quantities ordered as and when required:** The CDC orders the necessary quantities of diesel as needed by the vessels and vehicles during the contract period. The CDC does not provide guarantees or commitments that it will order the entire estimated quantities in this document during the contract's life. The CDC, through the signed contract, guarantees its procurement of the specified goods and/or services will only be from the contracted parties.

YEAR 1	115 000 LITRES
YEAR 2	115 000 LITRES
YEAR 3	118 000 LITRES
TOTAL	348 000 LITRES

5. **Placement of written purchase orders and commitment of funds:** The CDC manages the execution of the contract through the issue of purchase order – stipulating quantity, description,

- delivery date, and the unit price - for the contracted supplies. The CDC, when issuing the written purchase order, guarantees that the funding is available for that issued purchase order.
6. **Contract Ceiling Price:** As the CDC orders quantities as and when required, the CDC pays only for the verified delivered quantity per each purchase order at the prices set out in this contract. The cumulative value of each of these invoices at the expiry of the contract is the actual total contract price.
 7. **Price quoted is South African Rands**
 8. **Price Quotation Basis Price** quoted is fully inclusive of all costs including delivery to the specified CDC price delivery point and includes value-added tax, income tax, unemployment insurance fund contributions, and skills development levies.
 9. **Price Delivery Point:** In cases where different delivery points influence the pricing, the bidder submits a separate pricing schedule for each delivery point.
Delivery points are:
 - Port of Ngqura
 - Gqeberha (Port Elizabeth)
 10. For price evaluation, bidders use the ruling wholesale diesel fuel price [i.e *Zone 1A* pricing as regulated by the Department of Energy] as at **01 May 2021** as a base for pricing their bids and the quantities stipulated in the table below allowing for the execution of a fair price comparison between bidders.
 11. In cases where different delivery points influence the pricing, the bidder must complete a separate pricing schedule for each delivery point as listed below.

BIDDERS NAME: _____

PRICING SCHEDULE – YEAR 1						
Port of Gqeberha (Port Elizabeth)						
#	Qty.	Description	Unit of Measure	Wholesale Price (Rand)	Fee (Rand)	Retail Price (Rand, VAT exempted) (Retail price will be the wholesale price per litter plus fees per litre, multiply by the quantities)
1	60 000 litres	50ppm Diesel	litre			
Pricing Schedule – Port of Ngqura						
#	Qty.	Description	Unit of Measure	Wholesale Price (Rand)	Fee (Rand)	Retail Price (Rand, VAT exempted) (Retail price will be the wholesale price per litre plus fees per litre, multiply by the quantities)
1	55 000 litres	50ppm Diesel	litre			
Total (Sum of Port of PE and Port of Ngqura)						

PRICING SCHEDULE – YEAR 2						
Port of Gqeberha (Port Elizabeth)						
#	Qty.	Description	Unit of Measure	Wholesale Price (Rand)	Fee (Rand)	Retail Price (Rand, VAT exempted) (Retail price will be the wholesale price per litter plus fees per litre, multiply by the quantities)
1	60 000 litres	50ppm Diesel	litre			
Pricing Schedule – Port of Ngqura						
#	Qty.	Description	Unit of Measure	Wholesale Price (Rand)	Fee (Rand)	Retail Price (Rand, VAT exempted) (Retail price will be the wholesale price per litre plus fees per litre, multiply by the quantities)
1	55 000 litres	50ppm Diesel	litre			
Total (Sum of Port of PE and Port of Ngqura)						

PRICING SCHEDULE – YEAR 3						
Port of Gqeberha (Port Elizabeth)						
#	Qty.	Description	Unit of Measure	Wholesale Price (Rand)	Fee (Rand)	Retail Price (Rand, VAT exempted) (Retail price will be the wholesale price per litter plus fees per litre, multiply by the quantities)
1	63 000 litres	50ppm Diesel	litre			
Pricing Schedule – Port of Ngqura						
#	Qty.	Description	Unit of Measure	Wholesale Price (Rand)	Fee (Rand)	Retail Price (Rand, VAT exempted) (Retail price will be the wholesale price per litre plus fees per litre, multiply by the quantities)
1	55 000 litres	50ppm Diesel	litre			
Total (Sum of Port of PE and Port of Ngqura)						

Summary Table	Tendered Amount
Total Tender Price for Year 1	
Total Tender Price for Year 2	
Total Tender Price for Year 3	

Total Tendered Amount for 3 Years (Year 1 + Year 2 + Year 3)	
---	--

Notes:

1. Bidder's Wholesale price must be based on Department of Energy price schedule as at 1 May 2021. CDC is aware that the DoE price schedule changes each month, this will be taken into account during the contract period.
2. The Total Tender Value for three (3) years will be used for evaluation purposes to determine the fair competitive price, however, successful bidder will be appointed as per the rates submitted for wholesale price per litre and the fees per litre. The quantities may vary over the term of the contract
3. Fees may include but not limited to mark-up per litre, delivery costs per litre, etc.
4. The annual "Fee" rate will be considered fixed once an agreement is reached and the appointment is finalised.

BIDDER'S NAME: _____

BIDDER'S SIGNATURE: _____

DATE: _____

ANNEXURE J – EME AND QSE AFFIDAVIT TEMPLATES

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE - GENERAL

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

- The contents of this statement are to the best of my knowledge a true reflection of the facts.
- I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) Who are citizens of the Republic of South Africa by birth or descent; or (b) Who became citizens of the Republic of South Africa by naturalization- i. Before 27 April 1994; or ii. On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date

- I hereby declare under Oath that:
 - The Enterprise is _____% Black Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
 - The Enterprise is _____% Black Woman Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
 - The Enterprise is _____% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
 - Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of _____, the annual Total Revenue was R10,000,000.00 (Ten Million Rands) or less

- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	Level Four (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths
Signature & stamp

SWORN AFFIDAVIT – B-BBEE QUALIFYING SMALL ENTERPRISE - GENERAL

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) Who are citizens of the Republic of South Africa by birth or descent; or (b) Who became citizens of the Republic of South Africa by naturalization- i. Before 27 April 1994; or ii. On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date

3. I hereby declare under Oath that:
 - The Enterprise is _____% Black Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
 - The Enterprise is _____% Black Woman Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
 - The Enterprise is _____% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,

- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of _____, the annual Total Revenue was between R10,000,000.00 (Ten Million Rands) and R50,000,000.00 (Fifty Million Rands),
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At Least 51% black owned	Level Two (125% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths
Signature & stamp