

REQUEST FOR QUOTATION

OPTIONS ANALYSIS AND FEASIBILITY FOR HIGH PRESSURE WATER FOR FIRE FIGHTING WITHIN THE ATLANTIS SPECIAL ECONOMIC ZONE SOC LTD (ASEZ Co) AND ATLANTIS INDUSTRIAL AREA

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ASEZ

BID NUMBER:	RFQ 013/2021/IP	CLOSING DATE:	29 September 2021	CLOSING TIME:	17h00
DESCRIPTION	OPTIONS ANALYSIS AND FEASIBILITY FOR HIGH PRESSURE WATER FOR FIRE FIGHTING WITHIN THE ATLANTIS SPECIAL ECONOMIC ZONE SOC LTD (ASEZ Co) AND ATLANTIS INDUSTRIAL AREA				

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

Due to Covid19, no bids will be allowed to be hand delivered. All bids / RFQs must be emailed to the email address provided.

All submissions to be emailed to: Rayyan Arnold at rayyan@atlantiszez.co.za

BRIEFING SESSION	Yes	COMPULSORY	Yes
BRIEFING SESSION DETAILS	An online briefing session will be held on 22 September at 12h30. Link to briefing session: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTQ4MDg0OTMTMTBmNi00NzNhLWE1MGUtZDJjNzUyZTg1ZjBl%40thread.v2/0?context=%7b%22Tid%22%3a%22375e1718-ba69-4b4e-8908-e26b6aed4b68%22%2c%22Oid%22%3a%2231dca1ce-d2e9-4218-8d3f-95cf74759803%22%7d		

DATE 22 September 2021 at 12:30pm

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO

TECHNICAL ENQUIRIES MAY BE DIRECTED TO:

CONTACT PERSON	Rayyan Arnold	CONTACT PERSON	Imtiaz Sultan (Infrastructure Engineer)
TELEPHONE NUMBER	087 183 7010 <i>*please note that staff work rotationally which could result in unanswered calls</i>	TELEPHONE NUMBER	+27 84 559 7867
E-MAIL ADDRESS	rayyan@atlantiszez.co.za	E-MAIL ADDRESS	imtiaz@atlantiszez.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
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] e.g CIPC registration	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes/ No [IF YES, ANSWER QUESTIONNAIRE BELOW]
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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). IF THE ANSWER IS "YES" TO ANY OF THE ABOVE, THEN REGISTER WITH SARS AS PER 2.3 BELOW.

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 NOT EXPECTED TO EXCEED R1 000 000 INCLUDING VAT FOR THE DURATION OF THE CONTRACT**
- 1.4. **PRICE(S) QUOTED MUST BE FIRM AND MUST BE INCLUSIVE OF VAT.**
- 1.5. 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.
- 1.6. **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 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."

1. INTRODUCTION

The Atlantis Special Economic Zone (ASEZ) was designated as such by the Minister of Trade and Industry on the 19 October 2018 and the license to operate the zone was granted to the Western Cape Government (MEC for Finance and Economic Development). In response to this, and in accordance with the license conditions, the Atlantis Special Economic Zone Company (ASEZ Co) was set-up by the Western Cape Government in partnership with the City of Cape Town. This establishment followed due process and the company was registered in March 2020.

The ASEZ is a geographical area of 118 hectares in the industrial area of Atlantis. It is a Greentech SEZ with the objective of attracting Greentech manufacturers. The ASEZ currently consists of a number of investors on privately owned land (about 25ha) as well as three separate portions of vacant and industrial zoned land owned by the City of Cape Town (+93ha). This land is in the process of being acquired from the City of Cape Town.

The Atlantis SEZ has been identified as a strong manufacturing node in Atlantis and the Western Cape, with Greentech a key emerging sector for the Western Cape and for South Africa.

The Atlantis community and industrial area was established by the Apartheid government as a group areas Coloured township and people forcibly removed from suburbs in Cape Town were relocated here (amongst other areas). The government also created attractive incentives for industrial manufacturing in Atlantis. When these incentives and subsidies were removed, it led to a slump in manufacturing in the nineties. Since then, the City of Cape Town, working with National and provincial government, has been actively exploring ways to stimulate new industrial investment in Atlantis. Prior to Atlantis being designated a Special Economic Zone, the city had designated the area as a green manufacturing hub. The ASEZ aims to contribute to green industrial development in Atlantis and the area will no doubt become a key platform for Greentech industrial development in the Western Cape.

2. SPECIFICATION

2.1 BACKGROUND

One of the challenges faced by companies wishing to locate in Atlantis is that the water pressure is uneven and, in some places, insufficient to ensure sufficient pressure to effectively fight fires. As a result, insurance companies are unwilling to provide insurance. This poses risks and challenges, including additional cost burdens for companies who have to install their own custom/bespoke pressurised systems.

2.2 CONTEXT AND PURPOSE OF STUDY

The purpose of this study is twofold:

Firstly, it is to assess different options for the Atlantis SEZ to address and implement a system for delivering high-pressure water to fight fires to current and future tenants in the zone. This must consider different options. Options assessed must include, at least, installing additional pumps on the current water lines to boost pressure, a mobile fire-fighting option, the proposal contained in the ASEZ long-term infrastructure plan and an option utilising harvested rainwater/run-off. The preferred option must receive in-principle endorsement from the City of Cape Town and be specified and costed to enable the ASEZ to call for and appoint suitably qualified companies to undertake the detailed design and construction of the system. The bidder must bear in mind that the ASEZ is a Greentech SEZ and as such, their options must consider this in their proposals/solutions.

Secondly, it must test the demand and desirability amongst industries in Atlantis (outside of the ASEZ) for a dedicated high-pressure water line for firefighting operated by the Atlantis SEZ. The aim for the SEZ is doing this would be to a) reduce costs and risks to companies locating in Atlantis (including in the SEZ) and b) provide an additional revenue stream to the ASEZ company. Aside from the demand, the feasibility would need to consider the legal issues, including the requirements of the insurance industry who should also endorse the preferred option if the service is considered feasible. It is necessary to test both demand and feasibility for supplying the service.

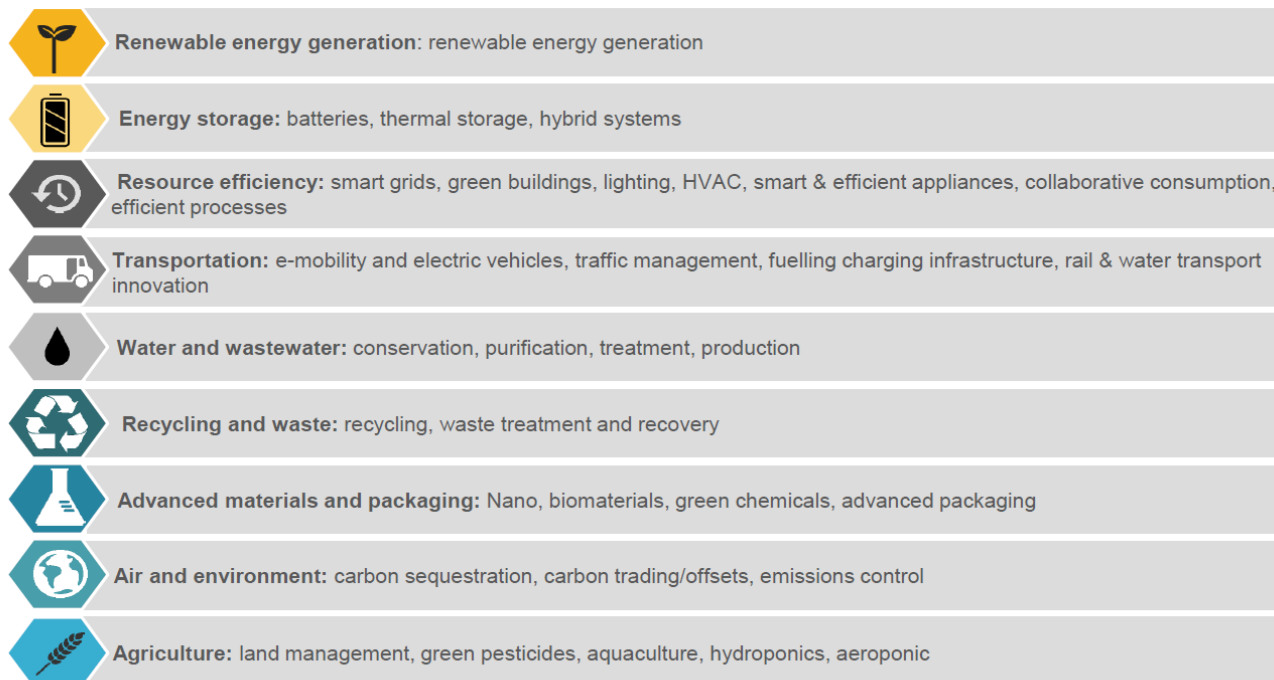
It should be noted that some industries within Atlantis have informally expressed a willingness to pay for the high-pressure fire water service, but this needs to be tested.

2.3 GREENTECH

The concept of Greentech is built from the principles of a green economy that is low carbon (zero carbon), resource efficient and socially inclusive. Greentech can also be defined as technology whose use is intended to mitigate or reverse the effects of human activity on the environment. The Greentech definition includes, but is not limited to, technologies relating to renewable energy, energy storage, energy efficiency, water efficiency and management, greener packaging, recycling / re-use (i.e., circular economy), and green chemicals.

The definition of a resource-efficient producer is one that employs processes, products, and services to increase the resource-efficiency of production and to reduce pollution and minimise negative impacts on humans and the environment.

The categories of Greentech utilised by the Atlantis SEZ are illustrated below:



Source: Own analysis based on Kachan & Co (2012) and Cleantech Scandinavia (2018).

While the Atlantis SEZ will focus on attracting producers of Greentech products and services, resource-efficient manufacturers of products will also be eligible to apply to establish operations in the ASEZ.

The Living Lab

As the DEFF, DTIC and DSI (2020) Green Policy Review states,

“The integration of sustainability into industrial policy should ultimately lead to greening the programmes which form industrial policy. Support to key industrial value chains should be strategic, time-bound and conditional to green performance improvements. Measures incompatible with the transition, such as fossil fuel subsidies, should be progressively phased out. Complementarily, policy and regulatory bottlenecks for industries to move towards a sustainable development pathway should be identified and unlocked. Moreover, measures necessary to stimulate and unlock market demand, particularly from the private sector and households, should be prioritised.”

The review, perhaps for the first time, puts Greentech and the green economy at the centre of South African industrial policy going forward. However, it also acknowledges that this transition has many parts and that we have much to learn. It stresses the importance of learning and sharing of lessons.

Locally, the City of Cape Town has also made numerous commitments to sustainability, including a commitment to be Carbon Neutral by 2050. What is significant about this commitment is that the City of Cape is actively seeking to support, procure and enable Greentech businesses which are carbon neutral or negative.

“CARBON NEUTRALITY means introducing new technologies to completely clean up the fuels and activities that currently cause GHG emissions, while enhancing our social, economic and environmental goals.” City of Cape Town Carbon Neutral Statement (2020/1)

The Atlantis Greentech SEZ is a publicly funded industrial zone. It is also an opportunity to experiment with how a sustainable green industrial zone that supports the circular economy can operate and function. The goal of the Living Lab is to push the boundaries of what is possible in terms of running and operating a sustainable, green, industrial zone, and to share those lessons.

The Living Lab builds on the three principles underpinning the SEZ Greentech approach:

- Lower (zero) carbon,
- Resource efficient, and
- Socially inclusive.

These principles guide which investors are considered Greentech and able to invest. With the Living Lab concept, these principles are extended into how the SEZ is run and managed. The term, “Living Lab” is purposefully used in the strategy for the following reasons:

- The SEZ to be used as an opportunity to show-case Greentech industrial processes and services; and
- The zone can provide living examples of what can be done, along with the associated challenges and opportunities of operating such a green zone.

There are benefits for investors aiming for:

- Reduced service costs (including via industrial symbiosis);
- Energy and water security, and
- Green production certification.

Benefits for community are based on:

- Focus on inclusion; and
- Focus on spill overs and skills and enterprise development.

The Living Lab in the ASEZ

The goals of the Living Lab are defined as:

- To continually reduce our carbon emissions, improve our resource efficiency and to build social inclusivity in everything we do. This means focusing on things like renewable energy, electricity storage and electric vehicles (electricity supply and petrol/diesel motor vehicles account for up to 80% of carbon emissions).
- To test a policy and practical framework for sustainable industrialisation.
- To share insights and lessons from implementing a green industrial zone (including green utility services, green operating models and financial models for installing and running green utilities):

- In future all industrial development will need to be done this way if we are to achieve sustainability, grow the circular economy, and tackle the drivers exacerbating the environmental crises.
- To actively pursue collaboration and partnerships as a basis for innovation and ‘learning-by-doing’.
- To actively seek and work with institutions and agencies who share our vision and to use the zone as an opportunity to explore and test innovative ideas for sustainable industrialisation and advancing the circular economy.

The specific focus areas and desired impacts of the Living Lab are currently sketched (as a point of departure) as follows:

Inclusivity:

- Maximise opportunities for local employment and SMME contractors in operations and maintenance.
- Pursue opportunities for local employment and SMME contractors in the investor value chain (inside and outside the zone – spill overs).
- Support investor training and employment of locals and ongoing skills development; and
- Actively curate, with partners, enterprise development programmes in the local community for broader benefit and impact.

Zero carbon / carbon negative:

- Powered by renewable energy and energy storage systems,
- Supported by electric vehicles (or non-carbon-based fuel powered vehicles),
- Promotion of non-motorised transport solutions and public transport, and
- Green building of industrial shells, amongst others.

Net zero water:

- Water efficient behaviour, processes, systems & technologies
- Grey and waste-water re-use,
- Maximisation of on-site infiltration (sustainable urban drainage),
- On-site water retention (rainwater tanks, plus ponds, green infrastructure – grass swales, bunds and landscaping choices), and
- Water recycling.

Net zero waste / zero waste to landfill:

- Waste minimisation (including through process design, product design and behaviour changes)
- Industrial symbiosis,
- On-site reuse and recycling, and
- Material reclamation.

Harmony with ecological environment - working with nature:

- Maintain and enhance the natural systems – flora and fauna,
- Water-wise landscaping, with use of indigenous species, and
- Green infrastructure usage rather than grey options.

Living lab and this project

The ASEZ is working towards green star rating of its precinct. The rating tool and criteria should thus guide the design and implementation of the fire-water system. Of particular significance with regards to water is the potential to capture rainwater and manage stormwater. The potential of utilising treated domestic wastewater in the system could also be considered, but this needs to be balanced against the cost and the impact on the recharge of the Atlantis Aquifer. The focus must be on maximizing on-site capture and

infiltration. Ideally, no rainwater run-off should leave a precinct as surface run-off. In addition, the site preparation and landscaping must consider indigenous landscaping responses, along with appropriate surfacing utilising the principles of sustainable urban drainage. Construction will need to actively incorporate and employ local contractors and labour.

List of relevant report to be utilised, amongst others

The following reports will be available to the successful bidder

Document
SEZ Feasibility Report
SEZ Designation Gazette
2014/2015 SEZ Strategy
2018 SEZ Strategy Update
SEZ Phase 1 Spatial Planning and Infrastructure Design
Long-term Infrastructure Plan
Urban Design and Landscaping Plan
Phase 1 Net Zero Water Strategy
Site Services Reports
Atlantis Water Study Report
Geotechnical Report
EIAs and Basic Assessment Reports for Zones

2.4 DISCLAIMER

This Request for Proposal (RFP) has been prepared for the purpose of providing information to interested parties and allowing them to respond to this RFP.

The ASEZ Co accepts no liability for any loss incurred by any person(s) due to events or actions taken as a consequence of the preparation and dissemination of this RFP document.

The ASEZ Co accepts no responsibility and/or liability for the fairness, accuracy or completeness of any information or opinions, for any errors, omissions or misstatements, negligent or otherwise, made by any person in this RFP document or any written or oral communication transmitted or made available at any time to an interested party or its advisers, and/or it's Agents.

2.5 DEFINITIONS

In this RFP document, unless the context indicates otherwise, reference to the singular shall the plural and *vice versa*, words denoting one gender include others, expressions denoting natural persons include juristic persons and associations of the persons, and the words in the first column shall have meanings stated opposite them in the second column, as follows:

“Applicant”	Any person or natural, who receives and/or responds to this RFP.
“ASEZ Co”	Atlantis Special Economic Zone SOC Ltd
“WCG”	Western Cape Government
“DEDAT”	Department of Economic Development & Tourism
“CoCT”	City of Cape Town
“Employer”	Atlantis Special Economic Zone SOC Ltd
“Services”	Means the services reflected in clause 4 hereof.
“Contract”	Means a contract to be concluded between the Employer and the successful Applicant on terms and conditions acceptable to the Accounting Officer of the Atlantis SEZ Co.

2.6 SERVICES

The ASEZ Co thus needs to assess what options are available to ensure sufficiently high pressure to ensure it is able to fight fires in the ASEZ and satisfy insurance companies of their ability to do so. At the same time, there is an opportunity to determine if offering this solution as a service to industries outside the zone could lower their risk and costs, whilst providing the ASEZ with an additional revenue source. See Annexure 1 attached for the survey findings for fire water/water pressure from the Atlantis Business Retention and Expansion survey results.

There is no pressure management in Atlantis. The CoCT is not able to provide higher pressure in its mains than the measured pressure as this is determined by the position of its reservoirs that supply the area. See Annexure 2 attached for pressure readings from CoCT. As a result, water pressure in the Atlantis Industrial area is uneven and, in some places, insufficient to ensure sufficient pressure to effectively fight fires. These areas are unable to comply with the Automatic Sprinkler Inspection Bureau (ASIB) certification and standards. Insurance companies are unwilling to provide insurance. This poses risks and challenges, including additional cost burdens for companies who have to install their own custom/bespoke pressurised systems.

The supply of the fire water system within the ASEZ Co properties would be simple enough, however, the feed to the rest of the Atlantis industries would require an assessment of its feasibility in terms of demand, service charges, legal and regulatory issues in terms of rights of way for the line and sale of the service.

Considering that the ASEZ Co is a Greentech SEZ, the fire water system must conform to this ethos from the design, to the materials used and manner of its construction, to how it is operated.

2.7 Institutional and operational context

Other than the WCG majority shareholding in the ASEZ Co, the COCT will become a minority shareholder in the ASEZ Co once the land transaction is completed. The City of Cape Town and the ASEZ Co have formed a number of task teams (e.g., infrastructure, community matters) to investigate avenues that will make the Atlantis SEZ a compelling and competitive investment destination as far as civil infrastructure is concerned.

ARUP completed a long-term infrastructure plan and has recently (March 2021) revised their civil infrastructure budgets for the ASEZ Co. The layout and costing of the fire water pipeline and system was included in the costing. This would be a good starting point for the strategy, but it needs to be stressed that this high-level design and concept has not been tested, or alternatives seriously considered. This is what now needs to happen.

The ASEZ Co has recently concluded a Water Stewardship study with GIZ and is currently working with the CSIR on an Energy Study. Both these studies will be informative when conducting the fire water design and feasibility.

The project will report to a Steering Committee comprising the ASEZ Co, DEDAT (WCG), CoCT (Water and Investment Promotion), Public Works and Transport (WCG) and representatives of the industrial community.

The ASEZ Co will be responsible for the implementation of the preferred option and the rolling out of the service if deemed feasible and legally possible.

2.8 Tasks and deliverables

Task 1: Assess options and specify one for delivering high-pressure water for firefighting purposes to the ASEZ

Deliverable: A report detailing and thoroughly evaluating the various options for supplying high-pressure water for firefighting to the ASEZ with a specified and costed preferred option that has in-principle buy-in from the City of Cape Town and at least two insurers who currently provide this insurance in Atlantis. The following are important points of emphasis:

- The bidder must ensure that the system the ASEZ adopts complies with the Automatic Sprinkler Inspection Bureau (ASIB) certification and standards as well as satisfies all CoCT standards and bylaws. This is a requirement for companies to secure the required insurance against fire for their property.
- The City of Cape Town fire department requires that the legislative water requirements for the fire protection systems is satisfied so that the safety of the buildings and its inhabitants is never compromised.

Task 2: Consider the feasibility of supplying high-pressure water for fire-fighting purposes to industries outside the ASEZ

Deliverable: A feasibility study evaluating the demand for purchasing from the ASEZ a high-pressure fire water service that is legally compliant and insurable. Note: For costing and effort purposes, this second task is exploratory in nature, it is to test if the potential is there to pursue this in more detail, and, if so, what would

be entailed. It must also check for any clear and unambiguous red flags – such as legal or regulatory issues preventing the ASEZ from offering this service.

2.9 Activities and considerations

Note: It is up to the bidder to ensure that all aspects required to deliver as specified are considered and costed in their proposal. The assumption is that bidders have applied their minds to the tasks based on their professional expertise and knowledge and satisfied themselves that their proposal will be able to meet the desired deliverables.

Task 1: Assess options and specify one for delivering high-pressure water for fire-fighting purposes to the ASEZ

- A. In undertaking the options analysis, the following options should (at the very least) be considered:
 - i. Installing additional pumps on the current water lines to boost pressure,
 - ii. Mobile fire-fighting option,
 - iii. Proposal contained in the long-term infrastructure plan (ARUP),
 - iv. Option utilising harvested rainwater/run-off per sub-zone, and
 - v. Other as suggested by the bidder
- B. Each option must, at least, be considered in terms of:
 - i. Legal compliance with relevant water legislation and by-laws
 - ii. Acceptability to the insurance industry (tested with at least two insurers currently providing fire insurance in Atlantis and to get confirmation of AISB standards being met)
 - iii. Cost of construction/implementation
 - iv. Cost of operation and maintenance
 - v. Environmental sustainability and principles of the living lab (carbon, water sensitivity, waste, natural systems and inclusivity)
 - vi. Other relevant components as suggested by the bidder, and which would strengthen the determination of the most suitable option.
- C. Workshopping of the options with the steering committee and others as appropriate, and identification of the preferred option.
- D. Specification and costing of the preferred option to enable calls for detailed design and construction of the option. By way of emphasis, the specification must take into consideration the following:
 - i. Compliance with Automatic Sprinkler Inspection Bureau (ASIB) certification and standards,
 - ii. Environmental, social and legal/governance compliance that needs to be attended to in order to get the system fully operational,
 - iii. Green/sustainable water storage and management within the different zones (depending on the option, consideration must include aspects such as how treated domestic effluent can be safely utilised, possible impacts on the aquifer recharge and/or possible overflow from the storage devices into the Aquifer),
 - iv. Piping/reticulation between the zones,
 - v. Backup systems,
 - vi. Metering,
 - vii. Monitoring of pressure, and
 - viii. Maintenance and operations (This must include all elements including staff and equipment necessary to successfully operate and maintain the fire water system, broken down annually for at least five years)
- E. Official, in-principle, support, in writing, from the City of Cape Town fire department and at least two insurers currently providing the service in Atlantis.

Task 2: Consider the feasibility of supplying high-pressure water for fire-fighting purposes to industries outside the ASEZ

- A. The feasibility must test the demand from industries outside the ASEZ, and those in the area most affected by low pressure, for purchase a high-pressure water service from the ASEZ, this demand should be based on:
 - i. Interviews and discussions with a selection of companies in the affected area (the exact method, number and scope of this to be specified in the bid under approach and methodology),
- B. Investigate CoCT bylaws and other laws and regulations around independent companies supplying fire water and the legalities around the supply, including rights of way/wayleaves.
- C. Assess Automatic Sprinkler Inspection Bureau (ASIB) standards and likely requirements from insurance companies to be satisfied of the reliability and efficacy of the system.
- D. Consultation with insurance companies operating currently in the industrial area and providing fire insurance as to their requirements for such a system so that these can be incorporated into the design.
- E. The demand analysis must feed into a high-level financial analysis showing potential revenue and operating cost associated with the supply of the fire water service to the Atlantis industrial area.
- F. The risks of the providing the service and how these might be mitigated.

2.10 INVITATION FOR PROPOSALS

Proposals are invited from interested consortia that can show that they have experience, knowledge and a track record in:

- Managing options analysis and feasibility studies,
- Fire water systems design and engineering (to a point of being capable of certifying and signing off on the proposed specifications and answer questions of detail to the satisfaction of the City of Cape Town - so they can provide in-principle support in writing),
- The water sector dynamics (knowledge of the Atlantis Aquifer an added advantage) with its associated laws and City of Cape Town by-laws,
- Feasibility studies, possibly including present and projected market demand assessments, financial modelling and risk mitigation, and
- Others as deemed appropriate, such as:
 - Hydraulic engineering,
 - Analysis and synthesis of results of market assessment,
 - Quantity Surveying,
 - Legal,
 - Financial modelling,
 - Environmental, social and governance disciplines (including determination of all environmental and legal compliance issues), and/or
 - Insurance.

Regular briefings and progress meetings must be held with the Steering Committee as the project progresses.

2.11 Bid packaging

The bid should include an overview of the proposal and why the company and associated team are able to deliver.

The CV of the company (or companies) should be summarised in not more than 1 A4 page each (more detail can be provided in an annexure(s)).

Each team member should be profiled, highlighting just their role on the project and their experience, knowledge and skills appropriate to their role. More detail can be provided in a detailed CV in the annexures.

Projects undertaken by the project lead that match this study should also be profiled with more detail (if required) in annexures.

The bid must spell out in detail the approach and methodology for each deliverable and the associated activities. Activities must be associated with timelines and costed. The team members responsible for those activities identified, along with their hourly rates.

Sub-deliverables and an associated billing schedule must be clearly and unambiguously provided. This will form the basis of the purchase order. Payments will only be made against deliverables satisfactorily achieved to the ASEZ Co's satisfaction.

You are required to submit a detailed quotation for the above services exclusive of VAT and also inclusive of VAT (see pricing schedule example below).

Where appropriate, tariff of fees quoted must be in terms of regulations by relevant professional bodies.

In packaging the bid, please refer to the evaluation rubric in section 7 and match your information to the sequence of criteria set out in the rubric to make it easier to evaluate your proposal. Failure to do this will result in points being deducted (at least 3 per evaluation category).

2.12 DELIVERABLES

Task 1 Deliverable: A report detailing and thoroughly evaluating the various options for supplying high-pressure water for firefighting to the ASEZ with a specified and costed preferred option that has in-principle buy-in from the City of Cape Town and at least two insurers who currently provide this insurance in Atlantis. The following are important points of emphasis:

- The bidder must ensure that the system the ASEZ adopts complies with the Automatic Sprinkler Inspection Bureau (ASIB) certification and standards as well as satisfies all CoCT standards and bylaws. This is a requirement for companies to secure the required insurance against fire for their property.
- The City of Cape Town fire department requires that the legislative water requirements for the fire protection systems is satisfied so that the safety of the buildings and its inhabitants is never compromised.

Task 2 Deliverable: A feasibility study evaluating the demand for purchasing from the ASEZ a high-pressure fire water service that is legally compliant and insurable.

A detailed written report shall be submitted and summarized in a PowerPoint presentation. Editable electronic copies must be provided.

- All data sheets and data collected must be provided in excel format. Drawings and graphics must be provided separately in either ArcView (.shp file) or other raw formats on a separate memory stick.

The reports for each deliverable shall provide a succinct summary of findings and recommendations – details shall be in the form of annexures. Both reports must be summarised in a PowerPoint presentation.

2.13 CONTRACT DURATION

It is anticipated that the duration of the project will be a maximum of 8 months from the date of appointment. Any extension of time shall be fully motivated.

3 EVALUATION CRITERIA

3.1 Evaluation Process

3.1.1 The bid will be evaluated in terms of the evaluation criteria stipulated.

3.1.2 This bid will be evaluated in terms of the following stages:

- a) Prequalification criteria
- b) Evaluation for mandatory (compliance) criteria
- c) Evaluation in terms of local production and content, if applicable
- d) Evaluation in terms of functional/technical compliance, if applicable
- e) Evaluation in terms of 80/20 preference point system

3.2 EVALUATION PROCESS:

- The bid will be evaluated in accordance with the following Compliance (part A) and

Functionality (part B) criteria:

A. COMPLIANCE REQUIREMENTS

A. Compliance Requirements – all documents to be submitted	Compliance Status
1. CSD Registration	
a) Supplier active status b) Supplier not restricted c) Active tax status (NB: award cannot be made to the bidder whose tax matters are not in order) d) SARS on-line tax status verification	Info provided will be validated during evaluation stage & failure to meet CSD requirements & Tax Status will lead to disqualification
2. Certified Documentations Required	
➤ Certified copy of a BBBEE certificate issued by a verification agency accredited by SANAS or a sworn affidavit signed by the EME representative & certified by a Commissioner of Oaths as per DTIC requirement for exempted EME's or QSE's	Invalid certificates will not be recognised
➤ Confirmation of Banking details.	Bank Stamped Letter

B. FUNCTIONALITY AND CAPABILITY REQUIREMENTS

Table 1: Quality of submission in addressing criteria and sub-criteria

FUNCTIONALITY & CAPABILITIES	Maximum	Score	Minimum
NB: The bidder should achieve a minimum score of 75 points under functionality to be able to be evaluated further on pricing & BBBEE as per preferential system. The Bidder MUST provide proof to support the relevant criteria stipulated below to qualify for the points. Should the Bidder FAIL to supply proof, they will score ZERO points.	100		
1 TEAM LEADER / PROJECT MANAGER (INCLUDE WRITE-UP IN BID RESPONSE DOCUMENT UNDER THE HEADINGS BELOW, SUPPORTED IN ANNEXURES)	40		
Relevant Degree (minimum NQF7) and a registered professional with relevant organisation with relevant fire water systems and/or feasibility studies . - NQF 7 or higher = 5 - Less than NQF 7 = 0	10		
Project lead has extensive experience (10 years or more) working on projects similar in nature. 10 years' relevant experience = 10 7 -9 years' relevant experience = 7 5-6 years' relevant experience = 5 - Less than 5 years' relevant experience = 0	10		
The balance of team has the requisite skills and proven track record to undertake the work as outlined in this ToR. The proposal must allocate tasks as per the brief to each member , including the project lead, and explain/motivate their skills and experience in support of their ability to do each specific task allocated to them	20		
2 APPROACH & METHODOLOGY / METHOD STATEMENT	35		
Full approach on how the bidder plans to carry out the project from inception to close out. Deliverables and timelines must be clearly stated at every stage. Stakeholder engagements must form part of the bidder's methodology and time allocated for this. - Addressed Approach and Methodology fully = 35 - Adequate response to Approach and Methodology = 25 - Partial response = 15 - Insufficient response provided = 0	35		
3 COMPANY PROFILE / LIST OF PROJECTS	20		
List of companies involved in the feasibility, their relevant experience relating to the nature of the bid and their relevant projects worked on. Maximum of 5 projects each per consultant making up the Team/JV. Maximum of 5 projects each carrying 2 points. - Max 5 projects (2 points per project) = 10 3 projects (2 points per project) = 6 2 projects (2 points per project) = 4 - Less than 2 projects = 0	20		
4 LOCAL OFFICE / CAPE TOWN	5		

An established branch office within Cape Town. Attach up-to-date lease agreement or proof of ownership.	5		
---	---	--	--

A minimum threshold of 75 points will apply to qualify to the next stage of Price and BBBEE. Failure to reach the minimum threshold will lead to disqualification.

4. ANNEXURES

Annexure 1: Survey findings for fire water from the Atlantis Business Retention and Expansion Workshop held on 1 March 2021.

WATER USE AND ASIB COMPLIANCE

	Treated effluent	Municipal treated water	Ground water	Onsite storage	Other	Not applicable
Office functions	-	82%	10%	4%	-	4%
Factory operations	6%	49%	26%	10%	3%	6%
Fire systems	3%	63%	17%	7%	-	10%
Grounds	7%	22%	45%	-	4%	22%

Respondents revealed the most used source of water as municipal treated water followed by ground water, onsite storage and treated effluent.

- Slightly more than half (53.3%) of the firms surveyed required ASIB certification.
- 44.4% of firms survey indicated that they had to invest in on-site infrastructure such as onsite water storage tanks, pressure boosters and certified sprinkler systems, to get ASIB certification.
- This investment was costly ranging from R400 000 to R12 million, with most firms spending over R1 million.
- Due to this cost the augmentation of the firewater systems had to be undertaken in stages.



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COLLABORATE | ENABLE | PROMOTE

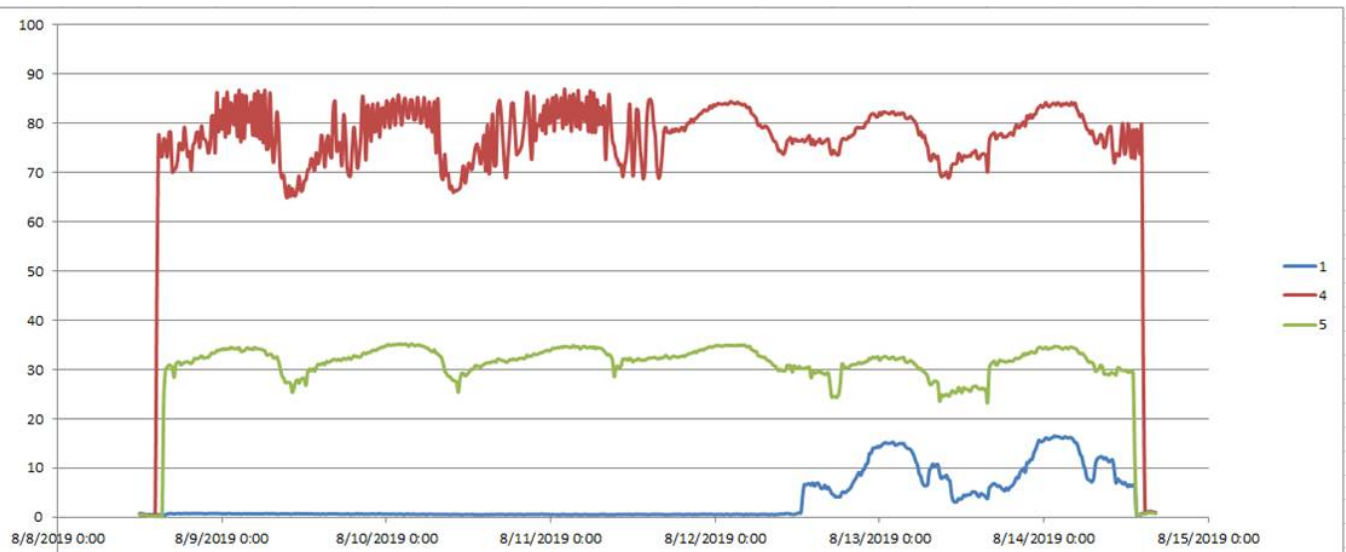
Annexure 2: Correspondence from CoCT dated 15 August 2019

The Atlantis industrial area is not pressure managed.

There were 7 loggers installed in the area, 3 inside the industrial area and 4 outside. Below is an image showing logger positions, loggers 1, 4 and 5 are inside the industrial area.

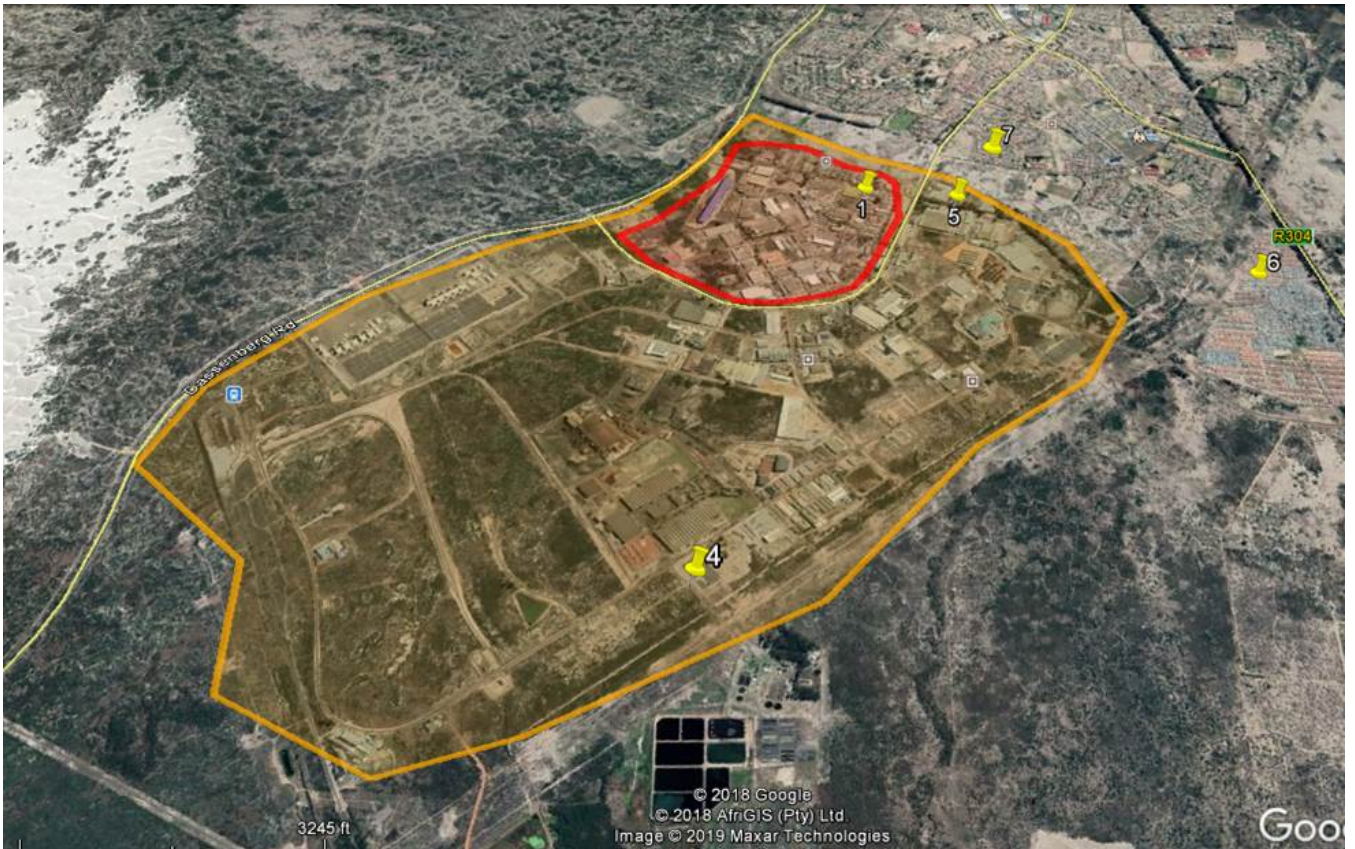


Below is a graph showing pressure (in meters) recorded by the loggers inside the industrial area. Please note that logger 1 was only installed on the 12th August hence the graph only picks up later than others.



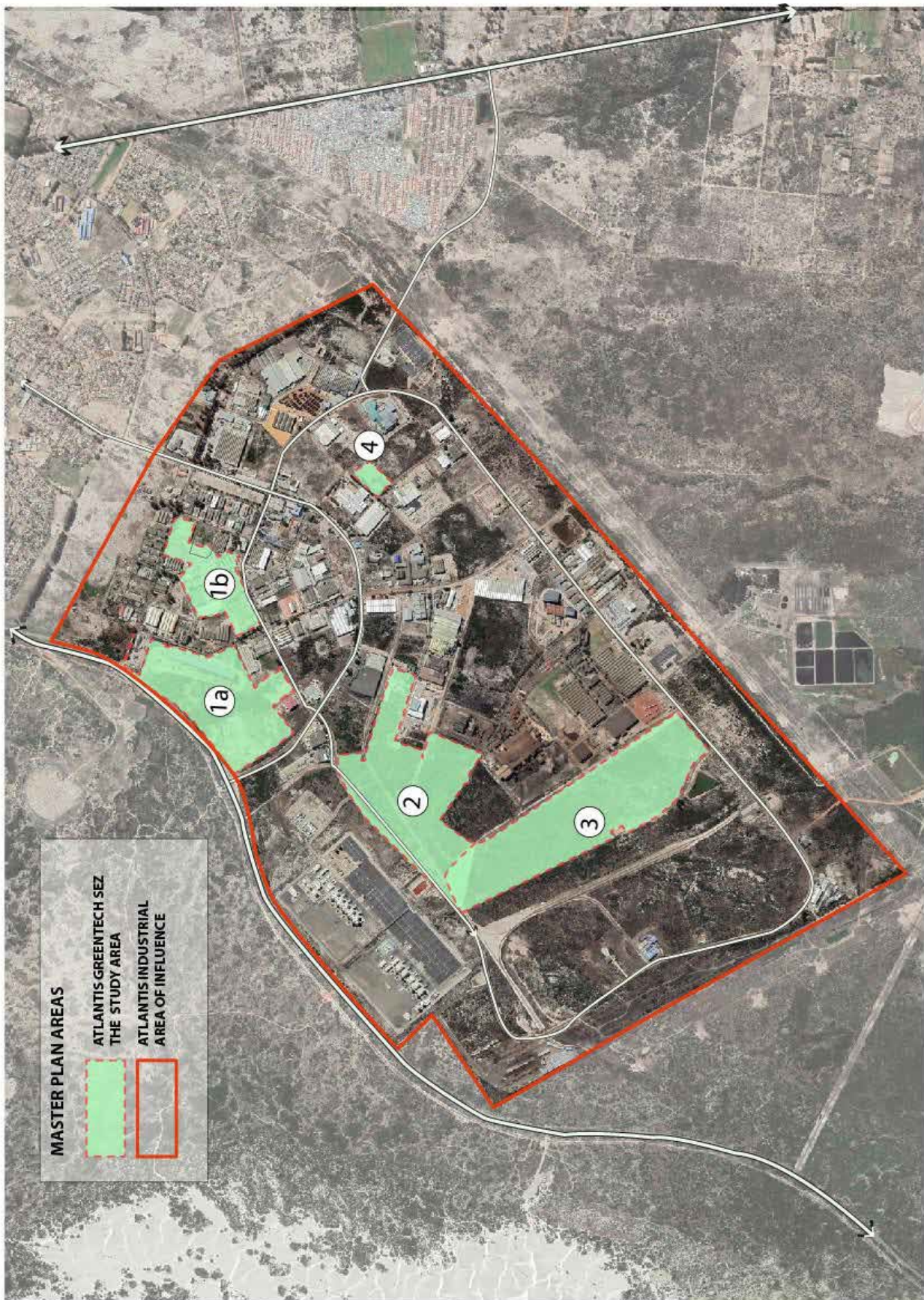
You will have noticed that there is a huge pressure difference between logger 4 and logger 1, the pressure difference is about 6.5bar. The elevation difference between these loggers is about 30m so the static pressure difference should be about 3 bar not 6.5 bar. **I looked at the possibility that the low pressure at the vicinity of logger 1 could be caused by high consumptions by industries upstream of the section but logger 1 is located close to the supply point and is not at the furthest point of the industrial area.**

The area around logger 1 is at the highest point of the industrial area but pressure should not be as low as it is, I suspect that there could be throttled valves in the area shaded in red below. Loggers 1 and 5 are at the same elevation and quite close to each other but have a pressure difference of about 2 bars.



I would recommend that operations perform a valve verification in the area shaded in red to ensure that valves are fully open and also do more spot pressure tests in shaded area.

Annexure 3: Site Layout Plan



5. PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ALL DELIVERY COSTS MUST BE INCLUDED IN THE BID PRICE, FOR DELIVERY AT THE PRESCRIBED DESTINATION.

** “all applicable taxes” includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

The quotation must reflect a breakdown of professional and other staff to be employed on the project as well as the tariff of fees associated with each of the member of the Applicant. A full breakdown of the stages and cost components must be provided. A summarised breakdown, as outlined below, should be provided, with each stage corresponding to a deliverable.

No	Description	Unit of measure (days/hrs)	Deliverable	Total
1	Stage One	Unit		
2	Stage Two	Unit		
3	Stage Three	Unit		
4	Etc, as necessary	Unit		
5		Unit		
6		Unit		
7	Total professional fees ex. VAT			
8	Total professional fees incl. fees			
9	Other Items/ disbursements including VAT			
10	Grand Total			

The total estimated cost of the contract will not exceed R 1 000 000.00 (**One Million Rand**) including VAT and all disbursement.

Please append an official quotation on your company letterhead as well.

Signature of Service Provider

Date

COMPANY STAMP

6. 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.

²"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 **YES / NO**
presently employed by the state?

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 attach proof of such authority to the bid document?

YES / NO

(Note: Failure to submit proof of such authority, were 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 / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?

YES / NO

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, **YES/NO**
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?

2.10.1 If so, furnish particulars.

.....

.....

.....

2.11 Do you or any of the directors / trustees / shareholders / members **YES/NO**
of the company have any interest in any other related companies
whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

.....

.....

.....

3 Full details of directors / trustees / members / shareholders.

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

4 DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 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

7. 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:

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

1.2.

- 1.2.1. The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
- 1.2.2. Either the 80/20 or 90/10 preference point system will be applicable to this tender (delete whichever is not applicable for this tender).

- 1.2.3. Either the 80/20 or 90/10 preference point system will be applicable to this tender (delete whichever is not applicable for this tender).

1.3. Points for this bid shall be awarded for:

- 1.3.1. Price; and
- 1.3.2. 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 CONTRIBUTION	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:
 - 2.8.1. B-BBEE Status level certificate issued by an authorized body or person.
 - 2.8.2. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice.
 - 2.8.3. 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;
- 2.10. **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1. THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

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

or

$$P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{min} = Price of lowest acceptable bid

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

- 4.1. 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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

- 6.1. B-BBEE Status Level of Contributor: . =(maximum of 10 or 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.

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1. If yes, indicate:

7.1.1.1. What percentage of the contract will be subcontracted.....%

7.1.1.2. The name of the sub-contractor.....

7.1.1.3. The B-BBEE status level of the sub-contractor.....

7.1.1.4. Whether the sub-contractor is an EME or QSE

(Tick applicable box)

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

7.1.1.5. 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 last 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		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1. Name of company/firm:

8.2. VAT registration number:

8.3. Company registration number :.....

8.4. TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium

☐ One person business/sole propriety

☐ Close corporation

☐ Company

☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6. COMPANY CLASSIFICATION

☐ Manufacturer

☐ Supplier

☐ Professional service provider

☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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

8.8.1. The information furnished is true and correct;

8.8.2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

8.8.3. 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;

8.8.4. 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 –

8.8.4.1. disqualify the person from the bidding process;

8.8.4.2. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

8.8.4.3. cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

8.8.4.4. 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

8.8.4.5. forward the matter for criminal prosecution.

WITNESSES

- 1.
- 2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

8. 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;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - 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 fulfilment 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

9. CONTRACT FORM - RENDERING OF SERVICES
PART 2 (TO BE FILLED IN BY (ASEZ)

1. I.....in my capacity as.....Accept your bid under reference numberdate.....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)	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

10. 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 of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
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 the contract?	Yes ☐	No ☐

4.4.1	If so, furnish particulars:
-------	-----------------------------

SBD 8

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

11. 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.

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.
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.

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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

12. NATIONAL TREASURY GENERAL CONDITIONS OF CONTRACT (NT GCC)

NATIONAL TREASURY GENERAL CONDITIONS OF CONTRACT (NT GCC)

*Please refer to the website of the National Treasury' for the general conditions of contract
<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract-%20Inclusion%20of%20par%2034%20CIBD.pdf>

I confirm that I have read and understand the conditions set out in the above link in terms of the General Conditions of Contract am duly authorized to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

WITNESSES

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