



ADDENDUM 1

BID NO: RFP 05/22

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

THE FOLLOWING AMENDMENTS HAVE BEEN MADE TO THE BID DOCUMENT AS LISTED BELOW:

- 1. Page 29: Add in mandatory requirements '*Compulsory briefing session proof of attendance*'**
- 2. On the functionality table page 32: removed duplicated row " Minimum of five (5) experience in Transaction Advisory and Capital Raising"**

The above amendments are hereby acknowledged by:

NAME OF BIDDER _____

SIGNATURE _____

BID NO: RFP 05/22

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

CLOSING DATE: 23 September 2022 at 11:00 am

Issued by:

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

Procurement Enquires:

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

Name of Bidder:

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

REQUEST FOR PROPOSAL

**ITHALA DEVELOPMENT FINANCE CORPORATION LIMITED, 29 CANAL QUAY ROAD, POINT, DURBAN
(FOR GPRS 29 SIGNAL ROAD)** (Hereinafter referred to as ("Ithala"))

BID NUMBER:	RFP 05/22				
CLOSING DATE:	23 September 2022				
TIME:	11:00am				
DESCRIPTION:	APPOINTMENT OF A SERVICE PROVIDER TO OBTAIN SYNDICATION FUNDING FOR ITHALA DEVELOPMENT FINANCE CORPORATION LIMITED FOR A PERIOD OF THREE (3) YEARS				
ONLINE COMPULSORY BRIEFING:	Yes	X	No		

DATE:	16 August 2022 @13h00
VENUE:	Online session
DETAILS:	Kindly register your interest for the online session by sending an email request to tenders@ithala.co.za by no later than 12 August 2022 at 16:00. The email should include your company name, contact person, telephone number and the meeting link will then be sent to you.
TELEPHONE:	031 907 8911

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C.1 TENDER NOTICE AND INVITATION TO TENDER

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

The physical address for collection of tender documents is:

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

Submission of Bids:

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

The proposals shall be submitted in sealed envelopes delivered at Ithala Trade Centre, 29 Canal Quay Road (for GPS use 29 Signal Road), Point, Durban and should be deposited in the box located at the reception. The closing time for receipt of tenders is **on 23 September 2022 @11h00.**

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

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

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

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

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF ITHALA DEVELOPMENT FINANCE CORPORATION					
BID NUMBER:	RFP05/22	CLOSING DATE: 23 September 2022		CLOSING TIME:	11H00am
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER TO OBTAIN SYNDICATION FUNDING FOR ITHALA DEVELOPMENT FINANCE CORPORATION LIMITED FOR A PERIOD OF THREE (3) YEARS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:					
Ithala Trade Centre					
29 Canal Quay Road					
Point Waterfront					
Durban					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	SCM		CONTACT PERSON	SCM	
TELEPHONE NUMBER	031 907 8911		TELEPHONE NUMBER	031 907 8911	
E-MAIL ADDRESS	tenders@ithala.co.za		E-MAIL ADDRESS	tenders@ithala.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] ☐ Yes ☐ No	B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	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. **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
- 2.4 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.5 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.6 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS WHO ARE PERSONS IN THE SERVICE OF THE STATE."

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

All bidders must furnish the following particulars and include it in their submission (returnable documents)

Name of bidder:

Trading name

Company registration number -----

VAT registration number

Workman's compensation number -----

Tax Clearance Certificate
/CSD Report submitted

Postal address:

Street address:

Telephone number: Code Number

Cellular number:

Facsimile number: Code Number

e-Mail address:

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

Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
.....			

Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
.....			

Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
_____	_____	_____	_____

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

Entity name: _____

Postal address: _____

Street address: _____

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

Name and Surname _____

Telephone number: Code Number

Cellular number: _____

Facsimile number: Code Number

e-Mail address: _____

Contact details of alternative responsible person who will act on behalf of the person above should he/she not be available

Name and Surname _____

Telephone number: Code Number

Cellular number: _____

Facsimile number: Code Number

e-Mail address: _____

Confirmation

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

Declaration

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

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

SIGNATURE:of person authorised to sign the tender)

C.2 INTRODUCTION

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

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

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

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

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

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

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

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

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

PROCUREMENT PHILOSOPHY

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

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

C3 CONDITIONS OF BID AND CONTRACT

	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
1.	GUIDELINE ON COMPLETION				
1.1	Bidders must indicate compliance or non-compliance on a paragraph-by-paragraph basis. Indicate compliance with the relevant bid requirements by marking the YES box and non-compliance by marking the NO box. If the contents of the paragraph only need to be noted, please mark the NOTED box. The bidder must clearly state if a deviation from these requirements are offered and the reason, therefore. If an explanatory note is provided, the paragraph reference must be attached as an appendix to the bid submission. Bids not completed in the manner prescribed may be considered incomplete and rejected. Should bidders fail to indicate agreement/compliance or otherwise, Ithala will assume that the bidder is not in compliance or agreement with the statement(s) as specified in this bid.				
2.	CONTRACT AGREEMENT				
2.1	The Ithala Service Level Agreement will be the only contract signed by both parties and will form the basis of this contract. Ithala's standard terms and conditions will not be negotiated.				
3.	ADDITIONAL INFORMATION REQUIREMENTS				
3.1	During evaluation of the bids, additional information may be requested in writing from bidders. Replies to such request must be submitted, within 5 (five) working days or as otherwise indicated. Failure to comply, may lead to the bid being disregarded.				
3.2	Bidders will be evaluated on each main service category.				
4.	CONFIDENTIALITY				
4.1	The bid and all information in connection therewith shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid.				
4.2	All bidders are bound by a confidentially agreement preventing the unauthorised disclosure of any information regarding Ithala or of its activities to any other organisation or individual. The bidders may not disclose any information, documentation, or products to other clients without written approval of the accounting authority or the delegate.				

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

	as provided for in the service level agreement to be entered into with service provider.				
8	WARRANTIES	Yes	No	Noted	If no, indicate deviation
8.1	The service provider warranties that: It is able to conclude this Agreement to the satisfaction of Ithala.				
8.2	Although the service provider will be entitled to provide services to persons other than Ithala, the service provider shall not without the prior written consent of Ithala, be involved in any manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the contractor to provide the Services.				
9.	PARTIES NOT AFFECTED BY WAIVER OR BREACHES				
9.1	The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this Agreement by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof				
9.2	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this Agreement shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this Agreement.				
10	SUBMITTING BIDS				
10.1	Supply Chain Management (SCM)				
10.2	An original and soft (usb) copy must be delivered to: ITHALA TRADE CENTRE 29 Canal Quay Road Point Waterfront, Durban And inserted into the Bid box Closing date: 23 September 2022 at 11h00am				
11	LATE BIDS				
11.1	Late submissions will not be accepted. A submission will be considered late if it arrived one second after 11:00 or any time thereafter. The bid (tender) box shall be locked at exactly 11:00 and bids arriving late will not be accepted under any circumstances. Bidders are therefore strongly advised to ensure that bids be dispatched allowing enough time for any unforeseen events that may delay the delivery of the bid.				
12.	BID CLARIFICATIONS				

12.1	Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing (by email). Please make reference to Bid Notice and Invitation to Tender page of this bid pack for contact details. The bid number should be mentioned in all correspondence. Telephonic requests for clarification will not be accepted. If appropriate, the clarifying information will be made available to all bidders by e-mail only				
13.	FORMAT OF BIDS	Yes	No	Noted	If no, indicate deviation
13.1	Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented.				
14.1	PART 1: INVITATION TO BID (FORM C1)				
14.2	PART 2: RFP SUMMARY AND DETAILS (FORM C5 & C16)				
14.3	PART 3: COMPLIANCE TO SPECIAL CONDITIONS OF BID AND NOTING OF EVALUATION CRITERIA (FORM C3)				
	Bidders must complete C3. Indicating compliance/non-compliance or noted. In case of non-compliance details and referencing to the specific paragraph is required.				
14.4	PART 4: SARS TAX CLEARANCE CERTIFICATE (FORM C10)				
	The bidder must be compliance with SARS and such information will be verified with Central Supplier Database (CSD). In case of a consortium/ joint venture, or where sub-contractors are utilised, each consortium/ joint venture member and/or sub-contractor (individual) <u>must</u> be in compliance with SARS and the information will be verified on Central Supplier Database (CSD).				
14.5	<u>PART 5: (FORM C4, C11)</u> Certificate of Authority to Sign a Bid Declaration of Interest				
14.5.1	Bidders must complete and submit the Declaration forms. A bidder must complete the relevant part of the document and it must indicate who is delegated to communicate or deal with Ithala. Any other irrelevant sections to the tendering entity must be marked 'N/A'.				
14.5.2	Bidders must submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African National Accreditation System (SANAS) or Sworn Affidavit (as attested by the Commissioner of Oaths.				

14.5.3	For a consortium or joint venture: A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity , provided that the entity submits their B-BBEE status level certificate. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity , provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid				
14.6	PART 6: JOINT VENTURE/CONSORTIUM AGREEMENT (FORM C4)	Yes	No	Noted	If no, indicate deviation
14.6.1	A copy of the joint venture/consortium agreement must be included.				
14.7	PART 7: TECHNICAL PROPOSAL/FUNCTIONALITY PROPOSAL (FORM C9)				
14.7.1	Bidders must, at least:				
14.7.1.1	Describe, in detail, exactly how they propose to carry out the activities to achieve the outcomes identified in the terms of reference. They should identify any possible problems that might hinder delivery and indicate how they will avoid or overcome such problems.				
14.7.2	The bidder must confirm, by providing letters of reference including contact details, for the previous, current or ongoing projects of similar nature. This will be verified by Ithala.				
14.7.3	The proposal of the bidders should be detailed to the bidders understanding of the scope of work and outline the proposed methodology approach and plan.				
14.8	PART 8: DEVIATIONS FROM REQUEST FOR BID (FORM C15)				
14.8.1	Please indicate deviations or modifications to this Request for Bid on form C15				
14.8.2	If no deviations are required, please mark the form "Nil" and sign				
14.9	PART 9: PRICING SCHEDULE (FORM C8)				
14.9.1	Any budget amount that may be indicated in this document shall be deemed to be a guide only and bidders are expected to submit a costing that is fair and reasonable.				

14.9.2	A proposed pricing schedule with one of the specified elements (fees and reimbursable costs) omitted from the costing, may be considered non-responsive.				
14.10	PART 10: PROCUREMENT TIMELINES (FORM C6)	Yes	No	Noted	If no, indicate deviation
14.10.1	This part of a bid documents informs bidders when the bid process is expected to be finalised. It may not necessarily be followed.				
14.10.2	Terms of reference (TOR) are the requirements by Ithala. When a proposal is submitted, a bidder must be certain that TOR are understood and has the capacity to offer a specified service.				
14.11	PART 11: ANNEXURES				
14.11.1	Bidder must insert all their additional annexures in part 11. This can include professional registrations, insurances etc.				
14.12	VAT				
14.12.1	Ithala is a VAT Vendor. Prices quoted must include VAT (where applicable).				
14.12.2	Ithala reserves the right to request the preferred bidder to register for VAT if the award is anticipated to be more than R1m for 12 consecutive months as the VAT Act requires. Kindly ensure the percentage/amount for VAT is included in your bid pricing at the bidding stage should you not be registered for VAT and your bid price equals to or exceeds R1m for 12 consecutive months				
15	NEGOTIATION				
15.1	Ithala has the right to enter into negotiation with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.				
15.2	Ithala shall not be obliged to accept the lowest or any financial offer or proposal. Furthermore, Ithala reserve the right not to award the tender to highest ranking bidder in terms of PPPFA.				
15.3	All bidders will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties.				
16	DOMICILIUM				
16.1	The parties hereto choose <i>domicilium citandi et executandi</i> for all purposes of and in connection with the final contract as follows:				

	Ithala Development Finance Corporation Limited Ithala Trade Centre 29 Canal Quay Road (for GPS 29 Signal Road) Point Waterfront Durban				
17	COST OF BID PREPARATION	Yes	No	Noted	If no, indicate deviation
17.1	Bidders shall prepare and submit a bid at their own expense.				
18.	SITE INSPECTIONS				
18.1	Ithala reserves the right to do site inspections of bidders to establish suitability of properties, vehicles, etc. to perform services effectively and efficiently				
19	BID VALIDITY PERIOD				
19.1	Bid will be valid for a period of 90 days				
19.2	Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.				
19.3	If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period.				
20	ISSUE ADDENDA				
20.1	If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until seven days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, shall then notify those tendering entities appearing on the attendance list				
20.2	Tenderers must sign the attendance list in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list				
20.3	Acknowledge receipt of addenda to the tender documents, which the employer may issue.				
21	SUBMITTING OF FRAUDULENT DOCUMENTS				
21.1	Ithala will disregard the bid of any bidder if that bidder or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.				

21.2	Ithala will list bidders/ directors in the list of restricted suppliers and they will not conduct any business with an organ of state.				
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C.4 CERTIFICATE OF AUTHORITY TO SIGN A BID

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

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

i. CERTIFICATE FOR COMPANY

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

Chairman:

As Witnesses:

Date:

ii. CERTIFICATE FOR CLOSE CORPORATION

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

..... Hereby authorise Mr/Ms..... acting in the capacity of

....., to sign all documents in connection with the tender for

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

NAME	ADDRESS	SIGNATURE	DATE

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

iii. CERTIFICATE FOR PARTNERSHIP

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

NAME	ADDRESS	SIGNATURE	DATE

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

iv. CERTIFICATE FOR SOLE PROPRIETOR

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

as.....

Signature of Sole owner:

As Witnesses:

1.....

2.....

Date:

v. **CERTIFICATE OF AUTHORITY FOR JOINT VENTURES**

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

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

NAME OF JV ORGANIZATION.....

ADDRESS:

.....

DULY AUTHORISED SIGNATORY NAME

DESIGNATION:

SIGNATURE

DATE:.....

C.5 CERTIFICATE OF ATTENDANCE AT COMPULSORY BRIEFING SESSION

This is to certify that (Company Name)
of (address)
..... was represented by the person(s)
named below at the compulsory meeting held for all bidders at: -

Date	Time	Site
16 August 2022	13:00	Compulsory online briefing session, bidders are requested to email tenders@ithala.co.za by no later than 12 August 2022 to register their interest.

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

Bidder’s representative attending the meeting:

Name: Signature:

Capacity:

Confirmed by the Ithala’s representative

Name: Signature:

Capacity:

C.6 PROCUREMENT TIMELINES

PROCUREMENT TIMELINE	DATE	TIME
RFP Release Date	08 August 2022	09:00
Compulsory briefing session	16 August 2022	12:00
Written questions of clarification – closing date	02 September 2022	16:00
Written response to all clarifications	16 September 2022	16:00
Service Provider Proposals Due	23 September 2022	11:00
Completion of Bid Evaluations	25 November 2022*	16:00
Anticipated letter of Award	08 December 2022*	16:00
Commencement Date	09 December 2022*	09:00

***Indicative dates**

C.7 TERMS OF REFERENCE:

1. PURPOSE

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

2. BACKGROUND

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

3. PROJECT OBJECTIVES

- 3.1.** The overall objective of the request for proposal is to secure the services of an experienced consultant/s for a period not exceeding 3 years s to assist IDFC with forming syndicates for purposes of obtaining funding, to grow the Properties and Business Finance businesses.
- 3.2.** The proposed types of syndication funding are as follows but are not limited to:
 - 3.2.1.** Strategic partnerships with private funders.
 - 3.2.2.** Strategic partnerships with other Development Finance Institutions (DFI's)

3.2.3. Access to grant funding

- 3.3.** The service provider must be a specialist in investment management with a financial qualification and must have experience in working with syndication funding.
- 3.4.** The service provider must have experience in dealing with public entities and must have a thorough working knowledge of the Public Finance Management Act (PFMA) and other governance requirements and related legislation for public entities.
- 3.5.** The service provider is required to provide a detailed project costing.
- 3.6.** The service provider is required to provide a timetable of the work to be undertaken with milestones to be achieved.
- 3.7.** The service provider or resource providing transaction advice must be registered with the Financial Service Board.

4. SCOPE OF SERVICES

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

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

5. RATES

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

6. PROPOSAL REQUIREMENTS

- 6.1.** Proposals must be clear, concise, comprehensive and must directly address the specific requirements.
- 6.2.** The service provider will, in combination with their capacity descriptions and resource resumes with qualifications, demonstrate their experience in providing similar services on prior work by providing references from other clients.
- 6.3.** The Proposal must include the following:
- 6.3.1. A description of the approach to be used to address the project objectives and scope of services.
- 6.3.2. References for completion of works - you are required to provide three (03) client reference letters, from successful assignments, which must include the following:
- Name of client
 - Description of project
 - Contract period
- 6.3.3. Key resources and skills - you are required to provide the following documentation for the Lead consultant .
- Comprehensive Resume (CV).
 - Financial or related Qualification with the minimum qualification being a National Diploma - certified copies of certificates.
 - Minimum of five (5) years' experience in Transaction Advisory and Capital Raising.
 - Minimum of five (5) years' experience in dealing with public entities.
- 6.3.4. Consultant**
- Comprehensive Resume (CV).
 - Financial or related Qualification with the minimum qualification being a National Diploma - certified copies of certificate.
 - Minimum of Two (2) years' experience in dealing with public entities.
- 6.3.5. The price proposal must contain an indicative fee structure and amount in R (including VAT) for the provision of Transaction Advisory and Capital Raising services under the following project values:
- Projects exceeding R 5 million but less than R 500 million
 - Projects exceeding R 500 million but less than R1 billion
 - Projects exceeding R 1 billion but less than R 2 billion
 - Projects exceeding R 2 billion
- The bidder must clearly indicate the assumptions underpinning the proposed fee structure and percentage.

C.8 PROPOSED FEES

Pricing Schedule Final Summary

NAME OF BIDDER:
.....

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

DESCRIPTION Project Funding Categories	Percentage (%)
Projects exceeding R 5 million but less than R 500 million	
Projects exceeding R 500 million but less than R1 billion	
Projects exceeding R 1 billion but less than R2 billion	
Projects exceeding R 2 billion	

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

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

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

Tenderers signature.....

C.9 EVALUATION PROCESS & CRITERIA

This phase consists of Mandatory administrative compliance evaluation of all proposals.

		Compliance			
		Yes	No	Noted	If no, indicate deviation
1.	EVALUATION PROCESS				
1.1	<u>STAGE ONE: ADMINISTRATION COMPLIANCE</u>				
1.1.1	All bids duly lodged will be examined to determine compliance with bidding requirements and conditions. Bids with obvious deviations from the requirements/conditions, will be eliminated from further adjudication. Mandatory Bids will only be compliant if bidder has submitted the following documents: - The bidder must register as a vendor on the National Treasury Central Supply Database (CSD), which can be found at https://secure.csd.gov.za/ in compliance with paragraph 4.2 of National Treasury instruction note 4a of 2016/2017 - The bidder must be in good standing with SARS and such information will be verified through Central Supply Database (CSD) or using SARS efilling pin in National Treasury compliance with instruction note 9 of 2017/2018 prior to the award of the bid; - SBD 4- A completed and duly signed declaration of interest. Should a conflict of interest be declared or identified, the bid would be declared non-responsive. NB Bidder must ensure all pages are complete of all questions answered, you are indicating not applicable (N/A) where appropriate. - Compulsory briefing session proof of attendance				
1.2	<u>STAGE TWO: FUNCTIONALITY REQUIREMENTS</u>				
1.2.1	Responsive bids will be evaluated according to the criteria indicated in C.9.				
1.3	<u>STAGE THREE: PRICE AND BBBEE EVALUATION</u>				
1.3.1	Price evaluation will be performed on bidders who qualified for Stage 1 and 2 above.				

		Compliance			
		Yes	No	Noted	If no, indicate deviation
1.4	ADJUDICATION OF BID				
1.4.1	The Bid Adjudication Committee will consider the recommendations and make the final award.				
1.4.2	The bid shall be awarded at the sole and absolute discretion of Ithala. Ithala hereby represents that it is not obliged to award this bid to any bidder. Ithala is entitled to retract this bid at any time as from the date of issue. Ithala is not obliged to award this bid to the bidder that quotes the lowest.				
1.4.3	A bidder shall be disqualified from bidding if any attempt is made either directly to solicit and/or canvass any information from any employee or agent of Ithala regarding this bid from the date the offer is submitted until the date of award of the bid.				
1.5	Awarding of contract				
1.5.1	Ithala reserves the right to award this bid in full or part				

C 9: FUNCTIONALITY- EVALUATION CRITERIA

Evaluation Functionality- The Quality and Maximum Score in Respect of Each of the Criteria are as follows:

Technical Criteria	Description	Weight	Score	Total
Proposal Approach	The bidder to provide a proposal detailing an approach aligned to the project objectives and scope of services for this project. (As indicated on 24 and 25 page) - A comprehensive approach that addresses the project objectives and the scope of service and for this project = 10 points - An adequate approach that addresses the project objectives and the scope of service and for this project = 5 points - The approach does not address the scope of service and project deliverables for this project or no submission= 0 point	10		
Client References	Previous Client References for completion of similar consulting work you are required to provide at least three client reference letters, which must include the following: - Name of client - Description of project - Contract period Scoring guide: - More than 3 Client reference letters = 25 points - At least 3 Client reference letters = 15 points - Less than 3 client reference letters = 0 point - Does not meet minimum requirements or no submission = 0 point	25		
Company's Experience	The bidder to indicate value of funding obtained in syndication funding. - Funding obtained for projects more than R 2 billion = 40 points - Funding obtained for projects more than R 1 billion but less than R 2 billion = 30 points - Funding obtained for projects more than R 500 million but less than R1 billion = 20 points - Funding obtained for projects more than R 5 million but less than R 500 million = 10 points - Funding obtained for projects less than R 5 million or no funding obtained, or all applications were unsuccessful = 0 point Scoring guide: Company experience to be capture on page 33	40		

Capacity of the Bidder	The Bidder to demonstrate their capacity by providing a comprehensive resume with qualifications and experience	25		
	- Degree or higher qualification (NQF level 7 or higher) in Financial or related Qualification = 5 points - National Diploma (NQF level 6) in Financial or related qualification = 3 points - No Financial or related qualification = 0 point	5		
	Minimum of five (5) years' experience in Transaction Advisory and Capital Raising. - More than 5 years' experience in Transaction Advisory and Capital Raising = 15 points 5 years' experience in Transaction Advisory and Capital Raising = 10 points - Less than 5 years' experience in Transaction Advisory and Capital Raising or no experience in Transaction Advisory and Capital Raising = 0 point	15		
	Minimum of five (5) years' experience in dealing syndication funding with public entities - More than 5 years' experience in dealing with public entities=5 points 5 years' experience in dealing with public entities= 3 points - Less than 5 years' experience in dealing with public entities or no experience in dealing with public entities = 0 point	5		
Total (Max)				100
Minimum Requirement				70
Only bids meeting or exceeding the stipulated Minimum threshold of 70% will be considered for Price and B-BBBEE				

CALCULATION OF THE TOTAL PRICE FOR EVALUATION PROCESSES:

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

NB: BIDDERS MUST NOT COMPLETE THE TABLE ABOVE

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

Project Funding Categories	Name of Client	Description of Project	Value of the Funding obtained
Funding obtained for projects more than R 5 million but less that R 500 million			
Funding obtained for projects more than R 500 million but less than R1 billion			
Funding obtained for projects more than R 1 billion but less than R 2billion			
Funding obtained for projects more than R 2 billion			

C.10 TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT

- The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his/her tax obligations.
- In bids where Consortia/Joint Ventures/Sub-contractors/Partners are involved, each party must be in compliance with SARS and such information will be verified through central supplier database (CSD).

C.11 BIDDER’S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder’s declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of institution	State

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

2.2.1 If so, furnish particulars:
.....
.....

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

2.3.1 If so, furnish particulars:
.....
.....

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

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....	
Signature	Date
.....	
Position	Name of bidder

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

C.12 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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:
- 80/20 system for requirements with a Rand value equal to or above R30 000 and up to R50million (all applicable taxes included); and
 - 90/10 system for requirements with a Rand value above R50m (all applicable taxes included).
- 1.2 The value of this bid is estimated to below R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
- (a) Price; and
 - (b) B-BBEE Status Level of Contribution.
- 1.3.1 The maximum points for this bid are allocated as follows:

	POINTS
1.3.1.1 PRICE	
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION	
Total points for Price and B-BBEE must not exceed	100

- 1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.5 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 “all applicable taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad

-Based Black Economic Empowerment Act;

- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less,
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based

Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February

2007;

2.17 “**trust**” means the arrangement through which the property of one person is made over or Bequeathed to a trustee to administer such property for the benefit of another person; and

2.18 “**trustee**” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

3.1 The bidder obtaining the highest number of total points will be awarded the contract.

3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.

3.3 Points scored must be rounded off to the nearest 2 decimal places.

3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.

3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.

3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 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

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

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

5. Points awarded for B-BBEE Status Level of Contribution

- 5.1 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

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

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

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 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? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm :

9.2 VAT registration number :

9.3 Company registration number :

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

9.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
 - ☐ Supplier
 - ☐ Professional service provider
 - ☐ Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business?

9.8 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-BBE status level of contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from 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

WITNESSES:

1.

.....
SIGNATURE(S) OF BIDDER(S)

2.

DATE:.....

C.13 DEVIATIONS FROM THE REQUEST FOR PROPOSAL

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

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

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

PAGE NUMBER	CLAUSE NUMBER	DEVIATION

SIGNATURE OF BIDDER

DATE

C.14 BID SUMMARY AND DETAILS

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

No.	Description in detail	Documents Attached
A. Commercial Documents		(Yes/ No/ N.A.)
1.	Deviations from Request for Proposal	
2.	Cover letter	
3.	Entire Bid Document	
4.	CC or Company Registration Documents or copy of ID if sole propriety	
5.	Registered as a vendor on CSD	
6.	In good standing with SARS and such information will be verified through Central Supply Database (CSD);	
7.	Declaration of Interest, Declaration of past SCM Practices Certificate of Independent Bid Determination	
8.	Joint Venture Agreement where applicable	
B. Technical Documents		
1.	Proposal approach	
2.	Client References	
3.	Company experience	
4.	CVs of project resources (including qualifications and experience)	

Name

Date

Signature