



REQUEST FOR QUOTATIONS (RFQ)-Preference Points System

You are hereby invited to submit Quotation for the requirements of SAFCOL SOC LTD		
RFQ number:	RFQ000/01/2021	
RFQ Issue Date	03 May 2021	
Closing date and Time	10 May 2021 AT 12:00 PM	
COMPULSORY/ NON COMPULSORY BRIEFING SESSION	N/A	
Briefing Session Date and Time: (IF APPLICABLE)	N/A	
RFQ validity period:	60 days (commencing from the RFQ Closing Date)	
RFQ Description:	SUPPLY AND DELIVERY OF FUEL FOR SAFCOL PLANTATIONS	
RFQ responses must be emailed to :		STANLEY SINYOSI
E-mail adress		RFQNorth@safcol.co.za

BIDDER NAME: _____

TOTAL BID PRICE (INCL VAT): _____

CONDITIONS OF THIS RFQ

- Quotations must be submitted in the **company letterhead**.
- Quotations should be mailed or hand delivered to our offices placed in an envelope clearly marked with RFQ Number and submitted to the above-mentioned address
- All service providers must submit their B-BBEE Verification Certificates from Verification Agencies accredited by the South African Accreditation System (SANAS) OR an EME/ QSE sworn affidavit **signed by the EME representative and attested by a Commissioner of Oaths**
- Evaluation criteria: 80/20 Preference Points System as presented in the preferential procurement regulations of 2017; for this purpose SDB 6.1 should be scrutinized; completed and submitted together with other forms and your quotations.
- All copyright and intellectual property herein vests with the SAFCOL.
- Late and incomplete submissions will not be accepted.
- Any bidder who has reasons to believe that the RFQ specification is based on a specific brand must inform SAFCOL before RFQ closing date.

SPECIAL CONDITIONS OF THIS RFQ

- Accepted RFQ's will be communicated by way of an official purchase order. Accordingly no goods; services or works must be prepared or delivered before an official purchase order is received by the respondent.
- All prices quoted must be firm and be inclusive of Value Added Tax(VAT)
- The lowest or any offer will not necessarily be accepted and SAFCOL reserves the right to accept any offer either in writing or in part.
- The offer shall remain bidding and open for acceptance by the SAFCOL during the validity period indicated and calculated from the closing time and date of this RFQ.

REASONS FOR DISQUALIFICATION

Service providers will be disqualified for the following:

1. Non compliance tax status at the time of award, verification of tax compliance status will be verified with SARS/ CSD
2. Failure to complete attached SBD forms
3. Submitted information that is fraudulent; factually untrue or inaccurate for example membership that do not exist; B-BBEE credentials; experience etc.
4. Service providers who made false declarations on the Standard Bidding Documents or misrepresented facts and or;
5. Service providers who are listed on the National Treasury's Database of restricted suppliers and defaulters
6. Failure to quote in line with the specification

I hereby accept the above-mentioned conditions

This RFQ is subject to the general conditions of the RFQ, National Treasury's general conditions of contract (GCC) and, if applicable, any other special conditions of contract (SCC).

NAME OF BIDDER_(COMPANY_NAME)..... SIGNATURE.....

CAPACITY..... DATE.....

TERMS OF REFERENCE/SPECIFICATIONS

BACKGROUND

SAFCOL is a state owned forestry company listed as Schedule 2 major public entity in terms of the Public Finance Management Act 1 of 1999. It was established in 1992 following the promulgation of the Management of State Forest Act 128 of 1992 to promote the development in the long term of the forestry industry according to accepted commercial management practice in South Africa.

The purpose of this Request for Quotation (RFQ) is an invitation to service providers (hereinafter referred to as "Bidders") to submit quotation for the Supply of Fuel to SAFCOL as detailed in this document.

SCOPE OF WORK

The scope of work is for the supply and delivery of the fuel products namely diesel 50 ppm and petrol 95 at different plantations site, detailed on table 1 of the Kilometre distances of SAFCOL plantation.

Product Requirements:

- Petrol Unleaded '95
- Diesel 50ppm

Fuel quality: Fuel must comply with at least the set SABS national standards. The Bidder shall elaborate on fuel quality standards, additives used and quality assurance.

DIESEL

Cluster One				
Table 1. Average diesel requirements				
Centres	Total litres per annum	Total litres for 6 months	Avg litres/month	Zones
Belfast 702	69 983	34 992	5 832	10C
Berlin 703	138 898	69 450	11 575	61C
Uitsoek 717	52 995	26 496	4 416	61C
Witklip/Swarfontein 736	139 733	69 864	11 644	61C
Bergvliet 802	196 196	98 100	16 350	61C
Blyde/Morgenzon (803)	181 203	90 600	15 100	61C
Brooklands 804	187 328	93 666	15 611	61C
Tweefontein 821	356 776	178 386	29 731	61C
Wilgeboom 822	204 105	102 054	17 009	61C
Total	1 527 217	763 608	127 268	

Cluster Two				
Table 2. Average diesel requirements				
Centres	Total litres per annum	Total litres for 6 months	Avg litres/month	Zones
Jessievale 711	292 499	146 250	24 375	8C
Ngome 715	55 599	27 798	4 633	6C
Nelshoogte 718	129 774	64 890	10 815	61C
Roburnia 737	228 959	114 480	19 080	8C
Total	706 831	353 418	58 903	

Cluster 3				
Table 3. Average diesel requirements				
Centres	Total litres per annum	Total litres for 6 months	Avg litres/month	Zones
Woodbush/ New Agatha 862	115 381	57 690	9 615	13C
Entabeni 867	199 087	99 546	16 591	13C
Timbadola 915	128 523	64 260	10 710	13C
Total	442991	221 496	36 916	13C

PETROL

Cluster 1				
Table 4. Average petrol requirements				
Centres	Total litres per annum	Total litres for 6 month	Avg litres/month	Zones
Belfast 702	20 733	10 368	1 728	10C
Berlin 703	24 963	12 480	2 080	61C
Uitsoek 717	7 975	3 990	665	61C
Witklip/Swarfontein 736	3 002	1 500	250	61C
Bergvliet 802	24 401	12 198	2 033	61C
Blyde 803	49 856	24 930	4 155	61C
Brooklands 804	24 702	12 354	2 059	61C
Tweefontein 821	21 970	10 986	1 831	61C
Wilgeboom 822	35 000	17 502	2 917	61C
Total	212 602	106 308	17 718	

Cluster 2				
Table 5. Average petrol requirements				
Centres	Total litres per annum	Total litres for 6 month	Avg litres/month	Zones
Jessievale 711	27 978	13 992	2 332	8C
Ngome 715	6 005	3 000	500	6C
Nelshoogte 718	26 404	13 200	2 200	61C
Roburnia 737	29 259	14 628	2 438	8C
Total	89 646	44 820	7 470	

Cluster 3				
Table 6. Average petrol requirements				
Centres	Total litres per annum	Total litres for 6 month	Avg litres/month	Zones
Woodbush/ New Agatha 862	33 903	16 950	2 825	13C
Entabeni 867	24 836	12 420	2 070	13C
Timbadola	-	0	-	13C
Total	58 739	29 370	4 895	

PRICING

The price should be based on the latest fuel prices as regulated by the department of energy, and the price per liter should include the transport costs per liter and the price escalation will be based on the statutory fuel increase regulated by the department of energy. The Bidder shall only be considered to a maximum of two clusters and therefore the Bidder shall only quote the price per liter on only two clusters.

DIESEL

Cluster One				
Table 1. Average diesel requirements			Amount	
Centres	Total litres for 6 months	Avg litres/month	Price Per Litres	Total Bid Price per Centre
Belfast 702	34 992	5 832	R	
Berlin 703	69 450	11 575	R	

Uitsoek 717	26 496	4 416	R	
Witklip/Swarfontein 736	69 864	11 644	R	
Bergvliet 802	98 100	16 350	R	
Woodbush/ New Agatha 862	90 600	15 100	R	
Brooklands 804	93 666	15 611	R	
Tweefontein 821	178 386	29 731	R	
Wilgeboom 822	102 054	17 009	R	
Total Bid price per Cluster	763 608	127 268	R	

Cluster Two				
Table 2. Average diesel requirements			Amount	
Centres	Total litres for 6 months	Avg litres/month	Price Per Litres	Total Bid Price per Centre
Jessievale 711	146 250	24 375	R	
Ngome 715	27 798	4 633	R	
Nelshoogte 718	64 890	10 815	R	
Roburnia 737	114 480	19 080	R	
Total Bid price per Cluster	353 418	58 903	R	

Cluster 3				
Table 3. Average diesel requirements			Amount	
Centres	Total litres for 6 months	Avg litres/month	Price Per Litres	Total Bid Price per Centre
Woodbush/ New Agatha 862	57 690	9 615	R	
Entabeni 867	99 546	16 591	R	
Timbadola 915	64 260	10 710	R	
Total Bid price per Cluster	221 496	36 916	R	

PETROL

Cluster 1				
Table 4. Average petrol requirements			Amount	
Centres	Total litres for 6 months	Avg litres/month	Price Per Litres	Total Bid Price per Centre
Belfast 702	10 368	1 728	R	

Berlin 703	12 480	2 080	R	
Uitsoek 717	3 990	665	R	
Witklip/Swarfontein 736	1 500	250	R	
Bergvliet 802	12 198	2 033	R	
Blyde 803	24 930	4 155	R	
Brooklands 804	12 354	2 059	R	
Tweefontein 821	10 986	1 831	R	
Wilgeboom 822	17 502	2 917		
Total Bid price per Cluster	106 308	17 718	R	

Cluster 2				
Table 5. Average petrol requirements			Amount	
Centres	Total litres for a 6 month period	Avg litres/month	Price Per Litres	Total Bid Price per Centre
Jessievale 711	13 992	2 332	R	
Ngome 715	3 000	500	R	
Nelshoogte 718	13 200	2 200	R	
Roburnia 737	14 628	2 438	R	
Total Bid price per Cluster	44 820	7470	R	

Cluster 3				
Table 6. Average petrol requirements			Amount	
Centres	Total litres for 6 months	Avg litres/month	Price Per Litres	Total Bid Price per Centre
Woodbush/ New Agatha 862	16 950	2 825	R	
Entabeni 867	12 420	2 070	R	
Timbadola	0	-	R	
Total Bid price per Cluster	29 370	4895	R	

Table 7: Total Bid Price Per Cluster including both Diesel and Patrol

Clusters	Total Bid price
Cluster 1	R
Cluster 2	R
Cluster 3	R
Total Bid price Excluding VAT	R

2.4 Fuel Tank Capacity per Plantation

Table 1: detail the Fuel Tank capacity									
FUEL TANK CAPACITY - PER PLANTATION									
		UG = UNDERGROUND		AG = ABOVE GROUND					
BU No	BUSINESS UNIT/ CENTRE	DIESEL TANK	TOTAL	PETROL TANK	TOTAL	SERVICE	CAPACITY	FUEL	CAPACITY
			CAPACITY		CAPACITY	TRUCK		TRAILER	
702	BELFAST PLANTATION	1x 4200L UG	8800L	1x 3500L UG	3500L	0	0	1x 850L	850L
		2x 2200L AG							
703	BERLIN PLANTATION	2x 9000L UG	18000L	1x 4500L UG	4500L	0	0	0	0
711	JESSIEVALE PLANTATION	1x 9000L UG	13500L	2x 4500L UG	9000L	0	0	0	0
		1x 4500L UG							
	Redhill Depot	1x 14000L UG	14000L	1x 4500L UG	4500L	0	0	0	0
715	NGOME PLANTATION	1x 9000L AG	9000L	1x 9000L UG	9000L	0	0	1x 800L	800L
717	UITSOEK PLANTATION	1x 14000L UG	14000L	1x 9000L UG	9000L	0	0	0	0
718	NELSHOOGTE PLANTATION	2x 9000L UG	18000L	2x 4500L UG	9000L	1x 1200L	1200L	0	0
736	WITKLIP PLANTATION	1x 9000L UG	9000L	1x 9000L UG	9000L	0	0	0	0
737	ROBURNIA PLANTATION	1x 14000L UG	14000L	1x 14000L UG	14000L	1x 2000L	2000L	0	0
	Blairmore Depot	1x 9000L UG	9000L						
802	BERGVLIET PLANTATION	2x 4500L UG	9000L	1x 4500L	4500L	0	0	0	0
803	BLYDE PLANTATION	1x 14000L AG	18500L	1x 4500L UG	4500L	0	0	0	0
		1x 4500L UG							
804	BROOKLANDS PLANTATION	2x 4500L UG	9000L	1x 9000L UG	9000L	0	0	0	0
814	MORGENZON PLANTATION	2x 4500L UG	9000L	1x 9000L UG	9000L	0	0	0	0
819	SPITSKOP PLANTATION	1x 9000L UG	9000L	1x 4500L UG	4500L	0	0	0	0
821	TWEEFONTEIN PLANTATION	2x 9000L UG	18000L	2x 4500L UG	9000L	1x 2000L	2000L	1x 500L	500L
	839 Forwarder Diesel Tank							1x 500L	500L
822	WILGEBOOM PLANTATION	1x 14000L UG	14000L	1x 9000L UG	9000L	1x 1100L	1100L	0	0
	Fuelmix Tank AG 9000L not used								
862	WOODBUSH PLANTATION	1x 14000L AG	14000L	1x 4500L UG	4500L	0	0	1x 350L	350L
	JDM KEET Depot	2x 2200L AG	4400L	1x 4500L UG	4500L				
867	ENTABENI PLANTATION	1x 23000L AG	37000L	1x 4500L UG	4500L	0	0	0	0
		1x 14000L AG							
	Extra : Paraffin 2000L AG								
869	NEWAGATHA PLANTATION	4x 2200L AG	8800L	1x 4000L UG	4000L	0	0	0	0
915	TIMBADOLA SAWMILL	2x 9000L UG	18000L	1x 9500L UG	9500L	0	0	0	0

2.5 Kilometre Distances of SAFCOL Plantation

Table 1: Details the distance between the various plantations and Nearest large town.

Nearest town	Polokwane	Piet Retief	Vryheid	White River	Sabie	Nelspruit	Graskop	Sabie	Graskop	Barberton	Sabie	Sabie	Nelspruit	Hazyview	Louis Trichardt	Tzaneen	Tzaneen
Group	Cluster 1	Cluster 2	Cluster 2	Cluster 2	Cluster 1	Cluster 1	Cluster 1	Cluster 1	Cluster 1	Cluster 2	Cluster 1	Cluster 1	Cluster 1	Cluster 1	Cluster 3	Cluster 3	Cluster 3
Nearest large town	702 Belfast	711 Jessievale	737 Roburnia	715 Ngome	736 Witklip	803 Bergvliet	703 Berlin	803 Blyde	804 Brooklands	803 Morgenzon	718 Nelshoogte	819 Spitzkop	821 Tweefontein	717 Uitsoek	822 Wilgeboom	867 Entabeni/Tim	862 New Agatha
Louis Trichardt/ Makhado	415	550	590	800	400	380	555	335	420	335	580	375	370	555	350	45	185
Nelspruit	147	185	250	518	46	95	33	113	70	116	112	69	90	65	118	425	297
Tzaneen	307	368	428	758	257	242	314	191	257	190	333	234	229	286	205	155	31
Ermelo	159	80	148	370	303	330	258	361	295	323	206	330	330	260	350	588	426
Vryheid	390	225	165	75	470	480	400	500	435	460	320	470	470	400	510	715	695
Piet Retief	212	120	60	195	297	260	260	365	298	325	205	320	335	270	353	615	468
Polokwane	280	410	455	670	290	280	425	260	265	225	435	275	265	255	265	150	95

I, the undersigned, for and on behalf of the bidder, hereby confirm that I/we understand the information as stated above and that I/we will comply with all of the above.

.....
Name (print) Signature

.....
Capacity Date

Evaluation Criteria

Quotations will be evaluated in accordance with SAFCOL Supply Chain Management Policy and Preferential Procurement Policy Framework Regulations of 2017; the bid evaluation process shall be carried out in three (3) phases namely:

Phase 1 (a): Administrative Compliance Evaluation

Phase 1 (b): Mandatory requirements

Phase 2: Functionality Evaluation(If applicable)

Phase 3: Price and B-BBEE Evaluation

PHASE 1 : Administrative Compliance requirements

1. Completion in full of the Request for Proposal document
2. Completion of all SBD Forms(Declaration Forms)
3. Proof that tax matters with SARS are in order(SARS Pin Number/ Tax Clearance Certificate)
4. Certified copy of proof of company registration documents(e.g Pty;Trust; CC etc)
5. Original or certified copy of B-BBEE Level of contribution Certificate (Failure to attach certificate will lead to non- allocation of points)
6. Registration with National Treasury Central Supplier Database (CSD), if not registered on CSD, successful bidder must register within 7 working days of award.

PHASE 1 (b): Mandatory Requirements

Description	Comply	Not Comply
Wholesale / Manufacturing License from the Dept. of Energy for the following Fuel types: Petrol and Diesel		

Phase 2: Price and Preference Points Evaluation

Only bids that achieve minimum qualifying score for Functionality, Evaluation and Price will be evaluated further for price and preference points B-BBEE Evaluation.

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

SBD 6.1

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

1..1.1

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

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

1 GENERAL CONDITIONS

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

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

1.2

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) 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:

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

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

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

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2 DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“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;
- (c) **“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;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“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;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“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;

- (j) “**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

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

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 2017, 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:

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

(*Tick applicable box*)

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

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

Designated Group: An EME or QSE which is at 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-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

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

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

WITNESSES 1. 2.
--

..... SIGNATURE(S) OF BIDDERS(S)
DATE: ADDRESS

Declaration of Interest SBD 4

1 Declaration of interest

1.1 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:

1.1.1 The bidder is employed by the state; and/or

1.1.2 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, shareholder) _____

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 / personal

numbers must be indicated in paragraph 3 below.

“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 presently employed by the state? YES / NO

2.7.1 If so, furnish the following particulars:

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

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

Position occupied in the state institution: _____

Any other particulars:

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

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

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

2.7.2.2 If not, 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 other 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 other particulars:

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

YES/NO

2.10.1 If so, furnish other particulars:

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

YES/NO

2.11.1 If so, furnish other 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 GCC should this declaration prove to be false.

Signature

Date

Position

Name of bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

(a) has been requested to submit a bid in response to this bid invitation;

- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

SBD 9

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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder