

## REQUEST FOR PROPOSAL (RFP)

|       |  |         |   |
|-------|--|---------|---|
| GOODS |  | SERVICE | x |
|-------|--|---------|---|

|                                                                                                                                                                                                                                            |                                                                                                                                                                       |                                         |                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------------------|
| DESCRIPTION:                                                                                                                                                                                                                               | REQUEST FOR PROPOSAL OF A QUALIFIED ELECTRICAL CONSULTANT SPECIALIZING IN PHOTOVOLTAIC SYSTEMS TO PLAN AND DEVELOP A HYBRID SOLAR PV INSTALLATION FOR IT DATA-CENTRE. |                                         |                           |
| RFP NUMBER:                                                                                                                                                                                                                                | NRF/SAAO/RFP/111209                                                                                                                                                   |                                         |                           |
| DATE ISSUED:                                                                                                                                                                                                                               | 12 February 2025                                                                                                                                                      |                                         |                           |
| COMPULSORY BRIEFING DATE AND TIME                                                                                                                                                                                                          | <b>MONDAY, 24 February 2025 @ 10:00 AM</b><br><br><b>Venue:</b> SAAO AUDITORIUM, 1 Observatory Rd, Observatory, Cape Town, 7925                                       |                                         |                           |
| CLOSING DATE AND TIME:                                                                                                                                                                                                                     | Friday, 28 February 2025 @ 16:00 pm                                                                                                                                   |                                         |                           |
| PROPOSAL TO BE SUBMITTED TO:                                                                                                                                                                                                               | scm@saa0.ac.za                                                                                                                                                        |                                         |                           |
| PREFERENCE POINTS SYSTEM:                                                                                                                                                                                                                  | 80/20                                                                                                                                                                 |                                         |                           |
| “The NRF would never offer payment or any other consideration in return for the favourable consideration of a bid. Please report any suspected acts of fraud or corruption to the following toll-free number - 0800 701 701 or SMS 39772.” |                                                                                                                                                                       |                                         |                           |
| LOCATION:                                                                                                                                                                                                                                  | SAAO , 1 OBSERVATORY ROAD, OBSERVATORY                                                                                                                                |                                         |                           |
| LEAD TIME (purchase order date)                                                                                                                                                                                                            | As and when required                                                                                                                                                  |                                         |                           |
| Enquiries relating to bidding procedures may be directed to:                                                                                                                                                                               |                                                                                                                                                                       | Technical enquiries may be directed to: |                           |
| Contact person:                                                                                                                                                                                                                            | SCM                                                                                                                                                                   | Contact person:                         | Iriwaan Simon -IT Manager |
| E- Mail address:                                                                                                                                                                                                                           | <a href="mailto:scm@saa0.ac.za">scm@saa0.ac.za</a> and <a href="mailto:nomandla@saa0.ac.za">nomandla@saa0.ac.za</a>                                                   | E- Mail address:                        | waanie@saa0.ac.za         |
| Telephone No:                                                                                                                                                                                                                              | 021 447 0025                                                                                                                                                          | Telephone No:                           | 021 447 0025              |

## SUPPLIER INFORMATION

Name of Bidder Name:

Street Address:

Telephone Number

Code

Number

Cell Phone Number

Code

Number

Facsimile Number

Code

Number

E-Mail Address

VAT Registration Number

Tax  
Compliance  
Status

Tax  
Compliance  
System PIN

OR

Central Supplier  
Database No.

MAAA

B-BBEE Status  
Level Verification  
Certificate

Tick Applicable Box.  
☐ Yes ☐ No

B-BBEE Status  
Level Sworn  
Affidavit

Tick Applicable Box.  
☐ Yes ☐ No

[A B-BBEE status level verification certificate/sworn affidavit (for EMEs & QSEs) must be submitted in order to qualify for preference points for B-BBEE – also refer to the SBD 6.1]

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/work  
s offered?

☐ Yes ☐ No  
[If yes, answer the  
questionnaire below]

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).

## **1. INTRODUCTION TO THE NRF**

The National Research Foundation (“NRF”) is a juristic person established in terms of the National Research Foundation Act, Act 23 of 1998, and a Schedule 3A Public Entity in terms of the Public Finance Management Act (PFMA). The NRF is the government’s national agency responsible for promoting and supporting research and human capital development through funding researchers, provision of the National Research Platforms, and science outreach platforms/programs to the broader community. The NRF provides these services in all fields of science and technology, including natural science, engineering, social science, and humanities.

The NRF is a schedule 3A entity under the PFMA (Act 29 of 1999), which is required to plan and report on its activities and organizational performance, and which is to be audited by the Auditor-General of South Africa (AGSA) on an annual basis. As part of the AGSA audit requirements, the NRF has to collect / document and store details, data and/or information of all persons and activities that form part of its performance record as proof thereof. In terms of this requirement, all persons making use of NRF facilities, platforms, equipment, tools etc., for research and related purposes are required to provide their personal details/data/information as per the template below or other similarly appropriate format. By completing your information in the template/register/record below and appending your signature thereto, you confirm your consent, in line with the Protection of Personal Information Act 4 of 2013, whereby the NRF and any of its business units may process (collect, receive, record, organize, collate, share, store, update, modify, retrieve, alter, consult, use, disseminate, distribute, merge, link, erase or destroy) the personal information you provide within and amongst its business units/functions for the purpose of fulfilling its statutory mandate, public accountability and other regulatory/legal requirements.

### **1.1. INTRODUCTION TO THE BUSINESS UNIT (SAAO) RESPONSIBLE FOR THIS RFP**

The South African Astronomical Observatory (SAAO) is a facility of the National Research Foundation and is the national centre for optical and infrared astronomy in South Africa. Its prime function is to conduct fundamental research in astronomy and astrophysics by providing a world-class facility and by promoting astronomy and astrophysics in Southern Africa

## **2. SUPPLY SPECIFICATIONS**

SAAO invites the submission of proposals for the following:

### **SHORT DESCRIPTION OF REQUIREMENTS**

SAAO seeks a qualified electrical consultant /bidder specializing in photovoltaic systems to support the planning and development of a hybrid photovoltaic (PV) installation for IT data-centre. The consultant will define technical specifications, develop a concept design, prepare a detailed statement of work with project milestones and budget estimates, and provide strategic oversight during contractor selection and implementation to ensure the successful delivery of the project.

### **HIGH LEVEL SUMMARY OF PROPOSAL REQUIREMENTS**

This contract aims to secure services of a professional electrical consultant to achieve SAAO's objective of installing a PV system for the IT data-centre at the SAAO Cape Town site. The electrical consultant, specializing in PV systems, will:

- Translate the requirements into a comprehensive requirements specification;
- Develop a concept design for the PV system for the IT data-centre;
- Prepare a statement of work, project milestones, and a budget estimate for the PV system construction; and
- Oversee the contractor appointed to design, build, and commission the PV system, ensuring it meets the specified requirements.

### **SCOPE OF WORK**

The consultant will be responsible for the following requirements specification:

- Analyse SAAO's user requirements and produce a detailed requirements specification document for the PV system and municipal building regulations.
- Assess the site and propose the required surveys, analyses, tests, and investigations needed to support the design process i.e. Evaluate existing structures to determine the feasibility of a roof-mounted or ground-mounted installation.
- Concept Design: Develop a concept design based on the approved requirements specification.
- Statement of Work: Prepare a detailed statement of work to support the development of an RFQ for selecting and evaluating a contractor to construct the PV system.

- Developmental Approvals: To secure all necessary approvals for project development.
- Contractor Management: Supervise the appointed contractor throughout the design, construction, and commissioning phases to ensure project objectives are met.
- Testing and Commissioning Oversight: Provide oversight during the contractor's Site Acceptance Tests (SAT) and commissioning activities, verifying that the PV system complies with the defined specifications.
- Compliance and Documentation: Ensure the contractor delivers Certificates of Compliance (CoC) and an as-built data package, including operation manuals, before project closure.
- Project Closure and Defects Liability: Confirm the operational support baseline is closed following approval of the Acceptance Report, and initiate the defects and liability period.
- The consultant should carry out the services as outlined on the 'Guideline for Services and Processes for Estimating Fees for Persons Registered in terms of the Engineering Profession Act, 2000, (Act No.46 of 2000)'.

## **OCCUPATIONAL HEALTH AND SAFETY WHEN WORKING ON NRF SITES**

All personnel performing work on NRF site/s as part of this contract are responsible to obtain safety induction. Over and above the obligations provided by the Occupational Health and Safety Act (OHS Act No 85 of 1993 and its Regulations, known as 'the Act'), the contracted party meets with all relevant health and safety instructions as given to them by site safety personnel, where relevant. Personal protection equipment including closed safety shoes, hard hats, height safety equipment, and high visibility vests are worn at all times while on the work site. All personnel are to obey the relevant instructions, including signage, related to restricted access and speed limits on all sites.

The contracted party, once signing the contract (SBD 7), is responsible for itself, its employees, and those people affected by its operations in terms of the Act the regulations promulgated in terms thereof. The contracted party performs all work and uses equipment on site complying with the provisions of the Act.

To this end, the contracted party shall make available to the NRF on the valid Letter of Good

Standing in terms of the COIDA Act and ensures its validity does not expire while executing this bid, where applicable. The contracted party furnishes its registration number with the office of the Compensation Commissioner. The contracted party enters into a Section 37.2 agreement in terms of Occupational Health and Safety Act (OHS Act No 85 of 1993 and its Regulations) that the NRF drafts.

The contracted party maintains a health and safety plan complying with the requirements of The Act at the work site during the period that contracted work takes place on the site. The NRF manages the contracted party in his capacity for the execution of this contract to meet the provisions of the said Act and the regulations promulgated in terms thereof.

The contracted party accepts liability for any contraventions to the Act. Each member of the contracted party's team (including sub-contracted personnel), submit a signed indemnity form prior to entering the work site and kept in the contracted party's health and safety file.

#### **PERFORMANCE/SERVICE LEVEL CONDITIONS**

The NRF measures the contracted bidder's performance against these in the execution of the contract. The contracted bidder recognises that its failure to meet the performance levels has material adverse impact on the operations of NRF and that the damage from the contracted bidder's failure to meet any performance level is not susceptible to precise determination. The NRF excuses the contracted bidder from failing to comply with the performance levels to the extent that non-performance or delayed performance is solely and directly attributable to an act or omission of the NRF or its staff or circumstances of force majeure as referred to in this Agreement.

If the contracted bidder fails to meet any performance level:

- The contracted bidder shall investigate and report on the root causes of the performance level failure;
- Promptly correct the failure and begin meeting the set performance levels;
- Advise the NRF as and to the extent requested by the NRF of the status of remedial efforts being undertaken with respect to such performance level failure; and
- Take appropriate preventive measures to prevent the recurrence of the performance level failure.

The bidder may be required to provide a schedule of their management system that details their supervisory structure, frequency of management meetings, service-delivery validation meetings with NRF project team, the procedure where service delivery is found to be below agreed standards, the performance escalation procedure, as well as the scheduling of the activities to be deliver for specified services.

## **ETHICAL REQUIREMENTS**

- The bidder must confirm that there are no interests with the NRF and its business units, has clean business practises, and has determined its bid independently from others as reflected on its submitted SBD 1, SBD 3.1, SBD 4 and SBD 6.1 forms. Any interest with the NRF or NRF official must be declared in the relevant Standard Bidding Document. Failure to provide / or comply with any of the above particulars may render the bid invalid and also misrepresentation of facts.
- The bidder should have a good understanding of the ethical dimension of their work and need to show considerable understanding of the need for confidentiality and maintenance of proper ethical standards. The engineer must abide by the Code of Conduct as approved by ECSA on 16 March 2017 and published under the Engineering Profession Act, 2000 (Act 46 of 2000) as Board Notice 41 in Government Gazette No. 40691 on Friday, 17 March 2017.

## **USE OF REASONABLE SKILL AND CARE**

- It will be expected of the bidder to apply reasonable skills and due diligence in the execution of the duties stipulated in this document.
- Although the bidders documents may be scrutinised by the NRF, this shall in no way relieve the electrical engineer of their professional responsibility for the proper and prompt execution of their duties. The NRF shall also be entitled to have any document or calculations verified by others. In the event of mal performance, default or negligence, the NRF shall have the right to claim compensation or damages and set-off such against any amount payable.
- During assessment of any existing facilities, which may have a direct bearing on the Project, the bidder shall determine deficiencies with such facilities in terms of the Occupational Health and Safety Act, 1993 (act 85 of 1993), the SANS 10400, etc. and recommend measures to rectify those during the project execution phase.

- The NRF's representative shall be notified by the bidder and their personnel of any transgression of inter alia the Occupational Health and Safety Act, 1993 (Act 85 of 1993) and environmental legislation during the service provides operation pertaining to the contract regardless of who may be involved.

## **CONTRACT MANAGEMENT**

The bidder must be issued with a written purchase order authorising the deliverables of this contract before any service can be rendered. The purchase order stipulates work description, delivery date, place, time and costs of the service required.

Contract management:

- The NRF's provides the bidder with the requirements for each meeting and the bidder must provide a response within three working days after receiving the request.
- The bidder is responsible to manage his/her account with the NRF which will include the timely receipt of invoices by NRF for payment within the agreed time. NRF, where correct procedures are followed, will make prompt payments.
- The NRF applies penalties to the bidder where the bidder consistently delivers service levels below the agreed minimum service level.

Termination of contract due to non-performance

- In the event of the non-performance as per the agreed contract, SAAO will appoint an alternative at the cost of the appointed third party. The defaulting third party is obliged to settle the damages/additional costs that SAAO has incurred as result of the non-performance of the appointed bidder.

Occupational Health and Safety when working on NRF sites:

- All personnel performing work on SAAO site as part of this contract are responsible to obtain safety induction.
- Over and above the obligations provided by the Occupational Health and Safety Act (OHS Act No 85 of 1993 and its Regulations, known as 'the Act'), the appointed bidder must meet all relevant health and safety instructions as given to them by site safety personnel, where relevant.

- The appointed bidder, once signing the contract (SBD 7), is responsible for itself, its employees, and those people affected by its operations in terms of the Act the regulations promulgated in terms thereof.
- SAAO manages the appointed bidder in his capacity for the execution of this contract to meet the provisions of the said Act and the regulations promulgated in terms thereof. The appointed bidder accepts liability for any contraventions to the Act.

#### Original bid documents for contract signing

- The sets of original bid documents in hard copy format (paper document) serves as the original master set for the legal contract document between the contracting parties. The master set remains at the NRF and has precedence over any other copies in the case of any discrepancies within the other sets of documents. The master set has the originals or certified copies of any certificates stipulated in this document.

#### Managing service levels

- Upon appointment, both parties agree on the final set of performance levels for each deliverable service levels including measurable key performance indicators with minimum thresholds in writing which form part of this contract document.
- Where both parties agree to variation of these, both parties sign the revision which must be appended to this contract document.
- The appointed bidder and the SAAO contract manager measure delivered performance against these performance levels. Where either party has identified poor performance under this contract, both parties will meet and investigate the matter to determine the root cause, the correction plan, and the execution planning thereof.
- Both parties will monitor the corrective actions and assess the applicability of penalties to the incurred poor performance and then apply them.

| STATEMENT OF PERFORMANCE LEVELS FOR SERVICES/GOODS                        |                                                                                                        |                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PERFORMANCE BEING MEASURED                                                | MEASUREMENT METHODOLOGY                                                                                | PENALTY AND LEVEL APPLICABLE FROM                                                                                                                                                                                                                                                                                                                             |
| Accuracy and Completeness of Specifications and Quality of Documentation. | Appropriate NRF representatives will verify the completeness of the project.                           | Rectification of the Electrical Design Report at contractor's own cost.                                                                                                                                                                                                                                                                                       |
| Testing and sign-off of installing the grid tied hybrid solar system.     | Appropriate NRF representatives will verify the Acceptance Report and Certificate of Compliance (CoC). | Where the Acceptance Report deviates from the design specifications, rectification of work to be done at the contractors' own cost. Where the CoC is delayed by more than 2 weeks from the approved Project Plan, penalty is 5% of the original invoice value for each additional week of delay. Unless a reasonable justification for the delay is provided. |

### 3. EVALUATION PROCESS

The RFP will be evaluated in the following three phases:

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Phase 1: | Administrative compliance / submission of all returnable documents and completion of all returnable schedules                                                                                                                                                                                                                                                                                                                                                                                      |
| Phase 2  | Specification evaluation and eligibility                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Phase 3: | <p>80/20 preferential point system in terms of PPR22</p> <ul style="list-style-type: none"> <li>- 80 – Price (VAT and all taxes included)</li> <li>- 20- Specific goals (BBEE STATUS LEVEL) Refer to SBD6.1</li> <li>- Specific goals: <i>relevant in accordance with the B-BBEE Codes of Good Practice and the PPPFA that are contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender, or disability.</i></li> </ul> |

## Phase 1 – Administrative Compliance

All returnable documents marked mandatory ('M'), must be completed or submitted by bidder in order to proceed to be evaluated further in Phase 2.

| Returnable Document/ Schedule                                                                       | Mandatory (M) / Optional (O)                                        |
|-----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Signed SBD 1 form                                                                                   | <b>M</b>                                                            |
| Signed and completed SBD 3.1 form (pricing schedule)                                                | <b>M</b>                                                            |
| Signed and completed SBD 4 form                                                                     | <b>M</b> (=> R 2 000)                                               |
| Signed and completed SBD 6.1 form                                                                   | <b>M</b> (=> R 2 000)                                               |
| Valid BBBEE certificate, or sworn affidavit detailing annual turnover, in the case of EMEs and QSEs | <b>O</b> (preference points will not be allocated if not submitted) |

|                                                                                                                                                                                                                                                                                                                                                    |          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Active registration as a Professional Electrical Engineer (PrEng) registered with the Engineering Council of South Africa (ECSA). Certificate must be provided                                                                                                                                                                                     | <b>M</b> |
| Technical expertise and competencies: <ul style="list-style-type: none"> <li>The Lead Engineer must have a bachelor's degree in electrical engineering from an accredited institution and a minimum of 5-years' work experience in the fields of electrical and renewable energy.</li> <li>CVs and qualifications of the technical team</li> </ul> | <b>M</b> |
| A company/individual profile. The bidder's profile shows capability and capacity to undertake a contract of this nature and size. The company profile must show work of similar projects, values, roles played and period.                                                                                                                         | <b>M</b> |
| Submit a valid proof of Compensation for Occupational Injuries and Disease Act (COIDA), issued by the Depart of Labour                                                                                                                                                                                                                             | <b>M</b> |
| Submit your company's signed Occupational Safety , Health, and Environmental (SHE) policy                                                                                                                                                                                                                                                          | <b>M</b> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Provide three (3) reference letters for electrical engineering projects undertaken detailing size of each project, period of the contract, contract value, and contact details allowing for conducting due diligence on their ability to manage this contract. The references should be for projects completed since 2019 (in the last 5 years). References letters must be on the company letter head and signed. SAAO may contact these references for clarification on any aspect of the reference given. | <b>M</b> |
| Insurance cover of at least R 2 million for public liability, product liability, and/or professional indemnity                                                                                                                                                                                                                                                                                                                                                                                               | <b>M</b> |
| The company must have a local presence in Cape Town region. (i.e. within 100km of Cape Town city). Submit proof of municipal account or valid lease agreement                                                                                                                                                                                                                                                                                                                                                | <b>M</b> |

## 4. PRICING SCHEDULE – FIRM PRICES PURCHASES (SBD 3.1)

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT**

**IF YOUR PRICES ARE VARIABLE (SUBJECT TO CHANGE), PLEASE SPECIFY THE VARIABLES THAT WILL AFFECT THE PRICE.**

OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.

Respondents are requested to complete the pricing schedule below in response to this Scope of Work. If the respondent feels there are any additional items that should be priced but were not included as part of the original scope of work, please submit separate proposal in company letter head

### 3.1 PRICING SCHEDULE

|                                                                                          | DESCRIPTION/<br>(Reference to specific specification) | UoM<br>(Hours) | Quantity | Unit Price<br>(Rands) | Sub Total<br>(Ex VAT) |
|------------------------------------------------------------------------------------------|-------------------------------------------------------|----------------|----------|-----------------------|-----------------------|
| 1                                                                                        | Investigating Status Quo Phase                        | Hours          | 5        | R                     |                       |
| 2                                                                                        | Electrical Design Report                              | Hours          | 24       | R                     |                       |
| 3                                                                                        | Project Management                                    | Hours          | 6        | R                     |                       |
| 4                                                                                        | Procurement Function Phase                            | Hours          | 24       | R                     |                       |
| 5                                                                                        | Supervision (construction and deployment)             | Hours          | 10       | R                     |                       |
| 6                                                                                        | Testing Phase                                         | Hours          | 8        | R                     |                       |
| 7                                                                                        | Site acceptance and Sign-off Phase                    | Hours          | 3        | R                     |                       |
| <b>Total Cost is determined by multiplying quantity by unit price for all line items</b> |                                                       |                |          |                       |                       |
| TOTAL EXCLUDING VAT                                                                      |                                                       |                |          | R                     |                       |
| VAT AT 15%                                                                               |                                                       |                |          | R                     |                       |
| TOTAL CONTRACT VALUE OF ABOVE (CEILING PRICE)                                            |                                                       |                |          | R                     |                       |

## 5. BIDDING CONDITIONS FOR THIS RFP

The following conditions will apply to this request for proposals:

- 1) Price(s) quoted must be valid for at least (60) days from date of your offer.
- 2) Price(s) quoted must be inclusive of VAT, if applicable.
- 3) The bidder is required to submit:
  - a) Proof of B-BBEE Status Level of contributor, to claim points as per SBD 6.1
  - b) An EME is required to submit a sworn affidavit confirming their annual total revenue of R10 million or less and level of black ownership to claim points as per SBD 6.1
  - c) A QSE is required to submit a sworn affidavit confirming their annual total revenue of between R10 million and R50 million and level of black ownership or a B-BBEE level verification certificate to claim points. As per SBD 6.1
- 4) **No award will be made to a bidder who is not registered on CSD.** To register <https://secure.csd.gov.za/>.
- 5) Proposals equal to above R 2000 (VAT included) must be accompanied by the relevant SBD documentation as per section 3 of this document for Proposals duly completed.
- 6) The successful provider will be the one scoring the highest points in the event of the lowest bid being higher than R 2000. (VAT inclusive).
- 7) For goods/ services below R 2000 the successful bidder will be one with cheapest acceptable proposal.
- 8) SAAO reserves the right to withdraw any invitation for proposal and/or to re-advertise or to accept a part of it. SAAO does not bind itself to accepting the lowest proposal.
- 9) This request for proposals is subject to the National Treasury General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract.
- 10) **Payment terms is within 30 days from date of receipt of invoice and when goods have been delivered. (No Pre- Payment allowed).**
- 11) **Where supplier terms and conditions are different from SAAO set terms and conditions**

## SBD 4 - 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 interest<sup>1</sup> in the enterprise, employed by the state?

**YES/NO**

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

| Full Name | Identity Number | Name of State institution |
|-----------|-----------------|---------------------------|
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |

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**

---

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

2.3.1 If so, furnish particulars:

.....  
.....

### 3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

---

<sup>2</sup> 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.



**SAAO**

South African  
Astronomical Observatory

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

## SBD 6.1

### PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

#### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

#### 1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) The 80/20 preference point system will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

#### 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

|                                                  | POINTS     |
|--------------------------------------------------|------------|
| PRICE                                            | 80         |
| SPECIFIC GOALS                                   | 20         |
| <b>Total points for Price and SPECIFIC GOALS</b> | <b>100</b> |

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price proposals, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

**80/20**

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

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

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

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

### 3.2.1. POINTS AWARDED FOR PRICE

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

**80/20**

$$Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

## 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/documentation stated in the conditions of this tender:

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

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

### SPECIFIC GOALS (80/20)

| B-BBEE Status Level of Contributor                                         | 1  | 2  | 3  | 4  | 5 | 6 | 7 | 8 | Non-compliant contributor<br>0 |
|----------------------------------------------------------------------------|----|----|----|----|---|---|---|---|--------------------------------|
| Contributor Number of Points for Preference (80/20) between R2000 and R50m | 20 | 18 | 14 | 12 | 8 | 6 | 4 | 2 |                                |
| Points Claimed (Supplier to complete)                                      |    |    |    |    |   |   |   |   |                                |

### DECLARATION WITH REGARD TO COMPANY/FIRM

4.2. Name of company/firm.....

4.3. Company registration number: .....

4.4. TYPE OF COMPANY/ FIRM

|                                                                 |                                                     |
|-----------------------------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> Partnership/Joint Venture / Consortium | <input type="checkbox"/> Personal Liability Company |
| <input type="checkbox"/> One-person business/sole propriety     | <input type="checkbox"/> (Pty) Limited              |
| <input type="checkbox"/> Close corporation                      | <input type="checkbox"/> Non-Profit Company         |
| <input type="checkbox"/> Public Company                         | <input type="checkbox"/> State Owned Company        |

[TICK APPLICABLE BOX]

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

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

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

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

## GENERAL CONDITIONS OF CONTRACT

The National Treasury General Conditions of Contract shall govern the contractual relationship between SAAO and the successful bidder. The contract is not attached, however is accessible on SAAO's website - <https://www.sao.ac.za/tenders/>

## BID SIGNATURE (SBD 1)

I, the bidder, warrant by signature as having read and accepted each page in this document including any annexures attached to this document. I undertake to supply all or any of the goods, works, and services described in this procurement invitation to SAAO in accordance with the conditions requirements and specifications stipulated in this bid document at the price/s quoted. I confirm that I have satisfied myself as to the correctness and validity of my offer/bid in response to this invitation, covering all my obligations and I accept that any mistakes regarding price(s), rate(s), and calculations are at my own risk.

My offer remains binding upon me and open for acceptance by SAAO during the validity period indicated and calculated from the closing time of bid invitation. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me in terms of this document as the principal liable for the due fulfilment of the subsequent contract conditions if awarded to me.

I declare that during the bidding period did not have access to any NRF proprietary information or any other matter that may have unfairly placed our bid in a preferential position in relation to any of the other bidder(s).

I confirm that I am duly authorised to sign this offer/ bid response.

NB: Failure to provide / or comply with any of the above particulars may render the bid invalid.

Signature of bidder: