



TSHWANE AUTOMOTIVE SPECIAL ECONOMIC ZONE

REQUEST FOR QUOTATIONS	
RFQ Description:	Supply and Activation of 20 Adobe Professional Licenses to Tshwane Automotive Special Economic Zone (TASEZ)
RFQ Number:	TASEZ/RFQ089/2024
Closing Date:	04 February 2025
Closing Time:	12h00
RFQ validity period:	90 Days
Compulsory Briefing:	N/A
Yes ☐	
No ☒	
TASEZ Enquiry Details:	rfqs-rfps@tasez.co.za
Name:	Lucy Kapa
Contact Numbers:	N/A
Email Address:	lucyk@tasez.co.za
Delivery Address:	rfqs-rfps@tasez.co.za

Bidders Name:	
Total Bid Price (All Inclusive)	R

Table of Contents

1. BACKGROUND.....

2. INVITATION TO SUBMIT A QUOTATION.....

3. SCOPE OF WORK

4. CONTACT AND COMMUNICATION.....

5. LATE SUBMISSION.....

6. EVALUATION OF BIDS

7. VALIDITY PERIOD OF THE RFQ

8. DURATION OF THE CONTRACT

9. PRICING SCHEDULE.....

10. SBD 1 FORM

3

3

3

3

4

5

6

6

6

8

List of Tables

Table 1: Tender Returnables Requirements to be submitted for Evaluation.....

Table 2: Administrative Requirements.....

Table 3: Pricing Schedule

4

5

7

1. BACKGROUND

The Tshwane Automotive Special Economic Zone (TASEZ) is co-owned by the Department of Trade, Industry and Competition (the DTIC), the Gauteng Provincial Government (GPG) and the City of Tshwane Municipality (CoT).

TASEZ is registered in terms of the Companies Act No 71 of 2008 and it is the Operator of the Tshwane Automotive Special Economic Zone in terms of the Special Economic Zones Act 16 of 2014. TASEZ is situated in the east of Pretoria City in Silverton. It aims to offer a diversity of appropriate land uses and other economic activities.

TASEZ seeks to appoint a reputable reseller of Adobe Professional Licenses service provider to supply and activate twenty Adobe pro for TASEZ employees. The Adobe Professional application will be essential for enhancing for enhancing our productivity and streamlining document management process. TASEZ employees often handle a significant volume of documents requiring edits, annotations, and signatures.

2. INVITATION TO SUBMIT A QUOTATION

Appointment of a service provider for the supply and activation of twenty (20) Adobe professional Licenses for a period of 12 months.

3. SCOPE OF WORK

The service provider will be required to supply and activate twenty (20) Adobe professional Licenses for a period of 12 months, the Licenses must:

- 3.1. Enable creation, conversation, editing, sharing and signing of PDF document; and
- 3.2. Enable access to the latest version of the Adobe Acrobat Pro and free upgrade to latest versions or releases throughout the duration of the contract.

4. CONTACT AND COMMUNICATION

- 4.1. All communication and enquiries shall be **in writing** (via email), to the following email address, rfqs-rfps@tasez.co.za. TASEZ will communicate with all Bidders where clarity regarding this RFQ is sought.
- 4.2. **Clarification questions from bidders will be closed two (2) days before date of closure on the RFQ.**
- 4.3. Any communication to an official in respect of the RFQ between the closing date and the award of the contract by the Bidders is prohibited.
- 4.4. If a Bidders finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFQ or any other information provided by TASEZ (other

than minor clerical matters), the Bidders must promptly notify TASEZ in writing of such discrepancy, ambiguity, error or inconsistency in order to afford TASEZ an opportunity to consider what corrective action is necessary (if any).

- 4.5. Any actual discrepancy, ambiguity, error, or inconsistency in the RFQ or any other information provided by TASEZ will, if possible, be corrected and provided to all Bidders without attribution to the Bidders who provided the written notice.
- 4.6. All persons (including Bidders) obtaining or receiving the RFQ and any other information in connection with the RFQ must keep the contents of the RFQ and other such information confidential, and not disclose or use the information except as required for the purpose of developing a response to the RFQ.

5. LATE SUBMISSION

- 5.1. Late responses to the RFQ will not be accepted.
- 5.2. All dates and times in this RFQs are in accordance to the South African standard calendar and time.
- 5.3. Any time or date in this RFQ is subject to change at TASEZ's discretion. The establishment of a time or date in this RFQ does not create an obligation on the part of TASEZ to take any action or create any right in any way for any Bidders to demand that any action be taken on the date established.
- 5.4. The Bidders accepts that, if TASEZ extends the deadline for the RFQ submission (the closing date) for any reason, the requirements of this RFQ otherwise apply equally to the extended deadline

5.1. Tender Returnables Requirements

Bidders shall submit all tender returnable documents as indicated in the Table 1 below for evaluation purposes.

Table 1: Tender Returnables Requirements to be submitted for Evaluation.

Document that must be Submitted	Returnables for the RFQ	
CIPC Documents- CIPC Registration Documents		
SBD 1 – Invitation to Bid		
B-BBEE Certificate or Sworn Affidavit		
Tax Pin		
Letter of Good Standing		

Document that must be Submitted	Returnables for the RFQ	
CSD Report		
SBD 4		
SBD 6.1 – Preference Points Claim Form		
SBD 6.2 – Local Content Declaration (If applicable)		

Failure to submit all tender returnable requirements (Completed and signed including attachments) Will result in submissions being deemed null and void and shall be considered non-responsive and therefore not considered further.

6. EVALUATION OF BIDS

Bids will be evaluated There will be **four (4) stages** in the evaluation of the bids:

6.1. Responsiveness Assessment

This is the assessment of compliance with the minimum Administrative Requirements as detailed in **Table 2** below.

6.1.1. Stage 1: Administrative Requirements Criteria

Table 2: Administrative Requirements

Document that must be Submitted	Returnables for the RFQ	
CIPC Documents- CIPC Registration Documents	CIPC Registration Documents	
SBD 1 – Invitation to Bid	Invitation to Bid - Complete and sign the supplied document	
B-BBEE Certificate or Sworn Affidavit	Original or certified B-BBEE Certificate or Sworn Affidavit.	
Tax Pin	Bidders must ensure compliance with their tax obligations	
Letter of Good Standing		
CSD Report	The Bidders must submit a valid CSD Report (Not older than 3 months).	
SBD 4	Declaration of Interest – Complete & sign the supplied document	
SBD 6.1 – Preference	Preference Points Claim Form – Complete and sign	

Document that must be Submitted	Returnables for the RFQ	
Points Claim Form	the supplied document.	
SBD 6.2 – Local Content Declaration (If applicable)	Bidder to submit their proposed local content declaration on SBD 6.2 as attached in the Annexures of this document.	

6.1.2. Stage 2 – Mandatory Requirements Criteria

The Bidder shall take note of the required returnable schedules that must be fully complied with and submitted with their tender submission. It is the responsibility of the Bidder to ensure that the information submitted is sufficient to evaluate their tender.

Failure to submit all mandatory requirements will result in submissions being **deemed null and void** and shall be considered **“non-responsive”** and therefore not considered further.

Table 3: Mandatory Requirements

Document that must be Submitted	Mandatory for the RFQ	
SBD 4	Declaration of Interest – Complete & sign the supplied document	

6.1.3. Stage 3 – Price and B-BBEE

6.1.3.1. Bidders must fully complete the Pricing Schedule in **Table 4** below.
The bid will be evaluated on the 80/20 principle.

7. VALIDITY PERIOD OF THE RFQ

The validity period of this RFQ shall be **90 days** from the closing date.

8. DURATION OF THE CONTRACT

The duration of the contract will be for a period of twelve Months.

9. PRICING SCHEDULE

Tenderers shall complete the Pricing Schedule for all resources included in the schedule. All Hours are provisional and shall be substantiated i.e., accompanied by

detailed activity-time schedules. In addition to the completion of the Pricing Schedule in table 4 below it is also a requirement that the hourly cost per resource be provided as indicated in Table 5.

Table 4: Pricing Schedule

Bidders are required to provide pricing breakdown as per the table below:

Cost Breakdown:		
Deliverables	Quantity	Unit price
Adobe Pro licenses	20 licenses	R
Sub Total	R	
15% VAT	R	
Total Bid Price (Including VAT)	R	

10. SBD 1 FORM

PART A: INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
Bid Number:	TASEZ/RFQ089/2024	Closing Date:	04 February 2025	Closing Time:	12:00 PM
Description:	Supply and Activation of 20 Adobe Professional Licenses to Tshwane Automotive Special Economic Zone (TASEZ)				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					

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					
		TCS PIN:		OR	CSD No:
B-BBEE Status Level Verification Certificate [Tick Applicable Box]	☐ Yes ☐ No	B-BBEE Status Level Sworn Affidavit		☐ Yes ☐ No	
If Yes, who was the Certificate Issued By?					
An Accounting Officer as Contemplated in the Close Corporation Act (CCA) and Name the Applicable in the Tick Box	☐	An Accounting Officer as Contemplated in the Close Corporation Act (CCA)			
	☐	A Verification Agency Accredited by the South African Accreditation System (SANAS)			
	☐	A Registered Auditor: Name:			
[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 Part B:3 Below]	
Signature of Bidder			Date		
Capacity under which this Bid is Signed (Attach proof of authority to sign this bid, e.g., resolution of directors, etc.)					
Total Number of Items Offered			Total Bid Price (All Inclusive)		
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
Department/ Public Entity	TASEZ		Contact Person	Lucy Kapa	
Telephone Number	N/A		Facsimile Number	N/A	
Facsimile Number	N/A		E-Mail Address	Rfqs-rfps@tasez.co.za	
E-Mail Address	lucyk@tasez.co.za / rfqs-rfps@tasez.co.za				

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 online 1.3. Bidders must register on the central supplier database (CSD) to upload mandatory information namely: (business registration/ directorship/ membership/identity numbers; tax compliance status; and banking information for verification purposes). B-BBEE Certificate or sworn affidavit for B-BBEE must be submitted to bidding institution. 1.4. Where a bidder is not registered on the CSD, mandatory information namely: (business registration/ directorship/ membership/identity numbers; tax compliance status may not be submitted with the bid documentation. B-BBEE certificate or sworn affidavit for B-BBEE must be submitted to bidding institution. 1.5. This bid is subject to the preferential procurement policy framework act 2000 and the preferential procurement regulations, 2017, the general conditions of contract (GCC) and, if applicable, any other legislation or special conditions of contract.												
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 view the taxpayer's profile and tax status. 2.3 Application for tax compliance status (TCS) or pin may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website www.SARS.gov.za. 2.4 Bidders may also submit a printed TCS together with the bid. 2.5 In bids where consortia / joint ventures / sub-contractors are involved; each party must submit a separate proof of TCS / pin / CSD number. 2.6 Where no TCS is available, but the bidder is registered on the central supplier database (CSD), a CSD number must be provided.												
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS												
<table border="0" style="width: 100%;"> <tr> <td style="width: 70%;">3.1. Is the bidder a resident of the republic of South Africa (RSA)?</td> <td style="width: 10%; text-align: center;">☐ yes</td> <td style="width: 20%; text-align: center;">☐ no</td> </tr> <tr> <td>3.2. Does the bidder have a branch in the RSA?</td> <td style="text-align: center;">☐ yes</td> <td style="text-align: center;">☐ no</td> </tr> <tr> <td>3.3. Does the bidder have a permanent establishment in the RSA?</td> <td style="text-align: center;">☐ yes</td> <td style="text-align: center;">☐ no</td> </tr> <tr> <td>3.4. Does the bidder have any source of income in the RSA?</td> <td style="text-align: center;">☐ yes</td> <td style="text-align: center;">☐ no</td> </tr> </table> If the answer is "no" to all of the above, then, it is not a requirement to obtain a tax compliance status / tax compliance system pin code from the South African Revenue Service (SARS) and if not register as per 2.3 above.	3.1. Is the bidder a resident of the republic of South Africa (RSA)?	☐ yes	☐ no	3.2. Does the bidder have a branch in the RSA?	☐ yes	☐ no	3.3. Does the bidder have a permanent establishment in the RSA?	☐ yes	☐ no	3.4. Does the bidder have any source of income in the RSA?	☐ yes	☐ no
3.1. Is the bidder a resident of the republic of South Africa (RSA)?	☐ yes	☐ no										
3.2. Does the bidder have a branch in the RSA?	☐ yes	☐ no										
3.3. Does the bidder have a permanent establishment in the RSA?	☐ yes	☐ no										
3.4. Does the bidder have any source of income in the RSA?	☐ yes	☐ no										

NB: failure to provide any of the above particulars may render the bid invalid.

--

1. SBD 4 Form

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
- the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1. Full Name of bidder or his or her representative:

2.2. Identity

Number:

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

2.4. Company

Registration

Number:

2.5. Tax

Reference

Number:

2.6. VAT

Registration

Number:

- 2.6.1. The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.
- 2.6.2. ¹"State" means –

a) any national or provincial department, national or provincial Bidder entity or constitutional institution within the meaning of the Bidder 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.
- 2.6.3. ²" Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7. Are you or any person connected with the bidder

YES / NO

presently employed by the state?

2.8. 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:

.....

.....

.....

2.9. If you are presently employed by the state, did you obtain

YES / NO

the appropriate authority to undertake remunerative

work outside employment in the Bidder sector?

2.9.1. If yes, did you attached proof of such authority to the bid

YES / NO

document?

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

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

.....

.....

.....

2.10. Did you or your spouse, or any of the company's directors /

YES / NO

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

2.10.1.If so, furnish particulars:

.....

.....

.....

2.11. Do you, or any person connected with the bidder, have

YES / NO

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?

2.11.1.If so, furnish particulars.

.....

.....

.....

2.12. Are you, or any person connected with the bidder,

YES / NO

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

2.12.1. If so, furnish particulars.

.....

.....

.....

2.13. Do you or any of the directors / trustees / shareholders / members
YES / NO

of the company have any interest in any other related companies
whether or not they are bidding for this contract?

2.13.1. If so, furnish particulars:

.....

.....

.....

Table 3: Full details of Directors / Trustees / Members / Shareholders.

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

3. Declaration

I, the undersigned (Name)

.....
.....

Certify that the information furnished in paragraphs 2 and 3 above is correct.

I accept that the state may reject the bid or act against me in terms of paragraph 23 of the general conditions of contract should this declaration prove to be false.

.....

.....

SignatureDate

.....

.....

PositionName of Bidder

2. SBD 6.1 Form

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

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

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

—

1. General Conditions

- 1.1. The following preference point systems are applicable to all bids:
- 1.1.1. the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

1.1.2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2. Price and B-BBEE Points

1.2.1. If the value of this bid does not exceed **R50 000 000.00** (all applicable taxes included), the **80/20** preference point system shall be applicable; or

1.2.2. If the value of this bid exceeds **R50 000 000.00** (all applicable taxes included), the **90/10** preference point system will be applicable.

1.3. Points for this bid shall be awarded for:

1.3.1. Price; and

1.3.2. B-BBEE Status Level of Contributor.

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

Table 4: Price and B-BBEE Points Allocations

Description	Points
Price	
B-BBEE Status Level of Contributor	
Total points for Price and B-BBEE must not exceed	100

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

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

2. Definitions

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

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

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

- 2.4. "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.5. "EME" means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad- Based Black Economic Empowerment Act;
- 2.6. "functionality" means the ability of a Bidder to provide goods or services in accordance with specifications as set out in the tender documents.
- 2.7. "Prices" includes all applicable taxes less all unconditional discounts;
- 2.8. "Proof of B-BBEE status level of contributor" means:
- 2.8.1. B-BBEE Status level certificate issued by an authorized body or person;
- 2.8.2. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
- 2.8.3. Any other requirement prescribed in terms of the B-BBEE Act;
- 2.9. "QSE" means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- 2.10. "Rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. Points Awarded for Price

3.1. The 80/20 or 90/10 Preference Point Systems

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

<u>80/20</u>	or	<u>90/10</u>
$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$		$P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$

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

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

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:

5. Bid Declaration

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

B-BBEE Status Level of Contributor Claimed in Terms of Paragraphs 5.

5.2. B-BBEE Status Level of Contributor: ____ . ____ = ____ (maximum of 10 or 20 points)

5.3. (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4 and must be substantiated by relevant proof of B-BBEE status level of contributor.

6. Sub-Contracting

6.1. Will any portion of the contract be sub-contracted? (Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

6.1.1. If yes, indicate:

6.1.1.1. What percentage of the contract will be sub-contracted

30 %

--

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

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

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

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

(Tick applicable box)

6.1.2. 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		

7. Declaration with Regard to Company / Firm

7.1. Name of Company / Firm:
.....
....

7.2. VAT Registration Number:
.....
...

7.3. Company

Registration

Number:

.....

- 7.4. Type of Company / Firm
- ☐ Partnership / Joint Venture / Consortium

☐ One person business / sole propriety

☐ Close corporation

☐ Company

☐ (Pty) Limited

[TICK APPLICABLE BOX]

7.5. Describe Principal Business Activities

.....

.....

.....

.....

- 7.6. Company Classification
- ☐ Manufacturer

☐ Supplier

☐ Professional service provider

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

[TICK APPLICABLE BOX]

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

.....

7.8. 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

- 7.9. 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:
- 7.9.1. The information furnished is true and correct;

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

7.9.3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs

- 7.9.4. 1.4 and 6.1, the FMSP may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- 7.9.5. 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 –

7.9.5.1. disqualify the person from the bidding process;

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

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

7.9.5.4. recommend that the bidder or FMSP, 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

7.9.5.5. forward the matter for criminal prosecution.

Witnesses

1.
2.

Signature

Date:

Address:

3. SBD 6.2 Form

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, Bidder must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9. (1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two-stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand.

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp at no cost.

1.6. A bid may be disqualified if –

1.6.1. this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and

1.6.2. the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

- 2.1. “bid” includes written price quotations, advertised competitive bids or proposals;
- 2.2. “bid price” price offered by the bidder, excluding value added tax (VAT);
- 2.3. “contract” means the agreement that results from the acceptance of a bid by an organ of state;
- 2.4. “designated sector” means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 2.5. “duly sign” means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person

nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).

- 2.6. "imported content" means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its Sub-Contractors) and which costs are inclusive of the costs abroad (this includes labour or intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.7. "local content" means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. "stipulated minimum threshold" means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. "sub-contract" means the primary Bidder's assigning, leasing, making out work to, or employing another person to support such primary Bidder in the execution of part of a project in terms of the contract.

3. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is / are as follows:

No.	Description of Service / Works / Goods	Unit (e.g., m ³ , etc.)	m ² , ton,	Qty	Stipulated Minimum Threshold
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					

4. Does any portion of the services, works or goods offered have any imported content?

(Tick applicable box)

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

- 4.1. If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.
- 4.2. The relevant rates of exchange information is accessible on www.reservebank.co.za.
- 4.3. Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidder must submit proof of the SARB rate (s) of exchange used.

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?

(Tick applicable box)

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

- 5.1. If yes, provide the following particulars:
- 5.1.1. Full name of auditor:

.....
- 5.1.2. Practice number:

.....
- 5.1.3. Telephone and cell number:

.....
- 5.1.4. Email address:

.....

6. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the DTI must be informed accordingly in order for the DTI to verify and in consultation with the AO/AA provide directives in this regard.

Local content declaration by Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive or Senior Member/Person with management responsibility (close corporation, partnership, or individual)

Issued BY: (Procurement Authority / Name of Institution):
.....
.....

- 1) The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2) Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp. Bidder should first complete Declaration D. After completing Declaration D, Bidder should complete Declaration E and then consolidate the information on Declaration C. Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below. Declarations D and E should be kept by the Bidder for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

Bidders Initials

names), do hereby declare, in my capacity as

.....

.....of

.....(name of bidder entity), the following:

a) The facts contained herein are within my own personal knowledge.

b) I have satisfied myself that:

the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and the declaration templates have been audited and certified to be correct.

c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011,

may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

7. Process When Requesting Exemption Letters

- 7.1. For exemption requests on designated products and the minimum threshold for local content cannot be met for various reasons, Bidder must apply for exemption per tender. After checking with the industry, the dti will decide whether to grant an exemption or not.
- 7.2. In the official request (signed letter), the following information should be included:
 - 7.2.1. Procuring entity/government department/state owned company.
 - 7.2.2. Tender/bid number.
 - 7.2.3. Closing date.
 - 7.2.4. Item(s) for which the exemption is being requested for.
 - 7.2.5. Description of the goods, services or works for which the requested exemption item will be used for and the local content that can be met.
 - 7.2.6. Reason(s) for the request.
 - 7.2.7. Supporting letters from local manufacturers and suppliers.

NB – Exemption letters are tender specific and applications are not transferrable.

- 7.3. The turnaround time in response to exemption letters for all designated products is five working days with the exception of rail and boats/vessels which is seven working days.
- 7.4. Request for exemption letters are to be directed to:

Dr Tebogo Makube

Chief Director: Industrial Procurement

Tel: 012 394 3927

E-mail: tmakube@thedti.gov.za.

- 7.5. The turnaround time in response to textile, clothing, leather and footwear exemption letters request is two working days and requests are to be directed to:

Patricia Khumalo Tel: 012 394 1390

E-mail: khumaloP@thedti.gov.za