



**South African  
NATIONAL PARKS**

## REQUEST FOR QUOTATION

Terms of Reference

**APPOINTMENT OF A SERVICE PROVIDER FOR BUSH  
INTERPRETATION AND BASIC BUSINESS TRAINING  
FOR ENVIRONMENTAL MONITORS, FOR THE GIZ E4D  
PROGRAMME, GREATER KRUGER PROTECTED AREA.**

**RFQ NO.9675**

# REQUEST FOR QUOTATION

You are hereby invited to submit a price quotation for:

**APPOINTMENT OF A SERVICE PROVIDER FOR BUSH INTERPRETATION AND BASIC BUSINESS TRAINING FOR ENVIRONMENTAL MONITORS, FOR THE GIZ E4D PROGRAMME, GREATER KRUGER PROTECTED AREA.**

|                                       |  |
|---------------------------------------|--|
| <b>RFQ NUMBER:</b>                    | 9675   |
| <b>ADVERTISEMENT DATE:</b>            | 13 July 2022   |
| <b>CLOSING DATE:</b>                  | 29 July 2022   |
| <b>CLOSING TIME:</b>                  | 11:00  |
| <b>COMPULSORY BRIEFING SESSION</b>    | 19 July 2022 @10:30-11:30am<br>MS Teams<br><a href="#">Click here to join the meeting</a><br><i>OR joint meeting by using</i><br>Meeting ID: 345 283 895 096<br>Passcode: xZdJqV |
| <b>BID DOCUMENT DELIVERY ADDRESS:</b> | KNPquotations@sanparks.org   |
| <b>BID VALIDITY PERIOD:</b>           | 90 days (commencing from the RFQ Closing Date)   |
| <b>TECHNICAL RELATED QUERIE</b>       | Marisa Coetzee<br>marisa.coetzee@sanparks.org  |
| <b>SCM RELATED QUERIES</b>            | Latani.Ramalivhana@sanparks.org  |

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

Bidders shall submit proposal responses in accordance with the prescribed manner of submissions as specified above. Bids received after the time stipulated shall not be considered.

Where applicable, the successful bidder will be required to fill in and sign a written Contract Form (SBD 7).

Bidders are not allowed to contact any other SANParks staff in the context of this RFQ other than the indicated officials under SBD 1 or as indicated above.

***NB:*** No proposal shall be accepted by SANPARKS if submitted in any manner other than as prescribed above.

## PART A INVITATION TO BID

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN NATIONAL PARKS  |  |               |  |   |       |
|---|--|---------------|--|---|-------|
| BID NUMBER:   | 9675   | CLOSING DATE: | 29 July 2022   | CLOSING TIME:   | 11:00 |
| DESCRIPTION   | <b>APPOINTMENT OF A SERVICE PROVIDER FOR BUSH INTERPRETATION AND BASIC BUSINESS TRAINING FOR ENVIRONMENTAL MONITORS, FOR THE GIZ E4D PROGRAMME, GREATER KRUGER PROTECTED AREA.</b> |               |  |   |       |
| <b>BID RESPONSE DOCUMENTS MUST BE HAND DELIVERED AND DROP ON THE TENDER BOX AT</b>  |  |               |  |   |       |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>   |  |               | <b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>                           |   |       |
| CONTACT PERSON  | Latani Ramalivhana   |               | CONTACT PERSON   | Marisa Coetzee  |       |
| TELEPHONE NUMBER  |  |               | TELEPHONE NUMBER   | 013 735 4361/ +27 82 739 3650   |       |
| E-MAIL ADDRESS  | <a href="mailto:KNPquotations@sanparks.org">KNPquotations@sanparks.org</a><br><a href="mailto:prudence.mabunda@sanparks.org">/prudence.mabunda@sanparks.org</a>                    |               | E-MAIL ADDRESS   | Marisa.Coetzee@sanparks.org   |       |
| <b>SUPPLIER INFORMATION</b>   |  |               |  |   |       |
| NAME OF BIDDER  |  |               |  |   |       |
| POSTAL ADDRESS  |  |               |  |   |       |
| STREET ADDRESS  |  |               |  |   |       |
| TELEPHONE NUMBER  | CODE   |               | NUMBER   |   |       |
| CELLPHONE NUMBER  |  |               |  |   |       |
| E-MAIL ADDRESS  |  |               |  |   |       |
| VAT REGISTRATION NUMBER   |  |               |  |   |       |
| SUPPLIER COMPLIANCE STATUS  | TAX COMPLIANCE SYSTEM PIN:   |               | OR   | CENTRAL SUPPLIER DATABASE No:   | MAAA  |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE  | [TICK APPLICABLE BOX]<br><br>Yes                      No   |               | B-BBEE STATUS LEVEL SWORN AFFIDAVIT                                      | [TICK APPLICABLE BOX]<br><br>Yes                      No <input type="checkbox"/> |       |
| <b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b> |  |               |  |   |       |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?   | Yes                      No<br><br>[IF YES ENCLOSE PROOF]  |               | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | Yes                      No<br><br>[IF YES, ANSWER THE QUESTIONNAIRE BELOW ]      |       |
| <b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>   |  |               |  |   |       |
| 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?  
NO

YES

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?  
NO

YES

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

YES  NO

**IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.**

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

|   |
|---|
| <b>1. BID SUBMISSION:</b>   |
| 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.  |
| 1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>   |
| 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.                         |
| 1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>  |
| <b>2. TAX COMPLIANCE REQUIREMENTS</b>   |
| 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.  |
| 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.                                       |
| 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.  |
| 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.  |
| 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.  |
| 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.   |
| 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE." |

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g. company resolution)

DATE: .....

## **1. PURPOSE**

To improve future employability and improved livelihoods through diversifying the skills of employees appointed through the Expanded Public Works Environmental Monitors Programme and to facilitate clearly defined exit pathways into permanent employment or independent livelihood activities at the conclusion of the 3-year employment cycle.

## **2. BACKGROUND**

Appointment of a Service provider to provide Environmental Management training/skills transfer for the GIZ E4D programme, Greater Kruger Protected area network. The project is funded by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), which is focussed on supporting the implementation of the Greater Kruger Strategic Development Programme (GKSDP) through an integrated response to the impacts of COVID-19 on the Greater Kruger landscape. The overall objective of the GIZE4D programme is to build strategic partnerships between communities and the conservation sector to facilitate economic transformation and job creation by conserving and enhancing the integrity of natural ecosystems in the Greater Kruger landscape. This project consists of five components that relate to Increasing Employment and Sustaining Livelihoods, implemented by key partner organisations.

The Environmental Monitors programme, which is part of the Expanded Public Works Programmes (EPWP) works in three-year cycles. The project is aimed at improving environmental management and protected area integrity within 5 community clusters on the western boundary of Kruger National Park. The Environmental Monitors employed through SANParks Kruger National Park, specifically seek to improve area integrity by monitoring and fixing the fence of the Kruger National Park, support community-based projects, and improve communication with the Traditional authorities.

The Programme has a strong poverty alleviation and environmental education and awareness focus, whilst providing temporary employment opportunities. The Expanded Public Works Environmental Monitors Programme does not include sufficient training in line with its environmental objectives, exposure to business development or skills to improve employability at the end of the programme cycle.

### **3. SCOPE OF WORK**

- Training of 80 Environmental Monitors within the KNP Integrated fence Stewardship programme to improve their skills with regard to environmental management (improved protected area integrity).
- To present a training course on basic bush interpretation within 5 clusters adjacent to KNP;
- To present a training course on basic business and governance linked to activities within a protected area;
- To develop a communication/awareness materials on the workshops, for information sharing;
- To submit training reports and evaluations;
- To issue training certificates.

#### 4. DELIVERABLES

The Service provider will need to: facilitate the training workshops (non-accredited, but certificates of attendance to be provided), write reports for each workshop as well as an overall report. The Service provider will be responsible for the administrative processing of the training courses, i.e. arrange for the necessary modules, facilitation materials, taking notes and writing up the reports.

The following are the key milestones and timeframes:

| <b>Milestone</b>  | <b>Timeframe</b>                           | <b>Deliverable</b>            |
|---|--|-------------------------------|
| Inception meeting   | Within week 1 of appointment               | Inception report              |
| Training modules and approach presented                                   | Within week 3 of appointment               | Training modules and approach |
| Training workshops  | Starting within 2 months after appointment | Training events               |
| Communication/awareness materials for information sharing on the training | During workshops/training                  | Communication product         |
| Draft Reports and evaluations submitted                                   | Within one month after the last training   | Draft Reports and evaluations |
| Final meeting with KNP  | Within one month after last training       | Final report submitted        |

##### **A. Environmental Monitor training workshops**

The training workshops will be convened in the following areas:

- Mutele
- Punda Maria
- Shangoni
- Nkambeni (x 2 clusters)

## **B. Total Number of Days**

The Service provider contract will be for a total of 18 days, excluding travel days. All disbursements, workshop materials, tools, printing costs and travel need to be included in the financial section of the proposal.

**Please see Annexure A for detailed Terms of Reference**

## **5. DUTIES AND RESPONSIBILITIES OF THE SERVICE PROVIDER**

### **Duties and responsibilities of the Service provider**

- Inception meeting with the KNP project team;
- Development of a technical and training approach for community project areas;
- Training / course materials to each participant;
- Development of reports on the technical support and training;
- Assessment of training;
- Issuing certificates of attendance;
- Development of communication materials for information sharing and learning on the workshops.

### **SANParks responsibilities:**

- Transport of the trainees
- Venue
- Catering
- No accommodation will be required by trainees

## **6. KEY COMPETENCIES AND REQUIREMENTS OF THE SERVICE PROVIDER**

### **6.1 Key Competencies**

The Service provider is required to have the following key competencies:

- Be familiar with Protected Area Management Plan functions;
- Minimum 10 years of relevant experience in bush interpretation and environmental management;
- Minimum 2 years' experience in basic business governance;
- Excellent training and skills development experience;

- Be able to interact with a wide range of stakeholders and cultures, especially rural communities;
- Be fluent in English, whilst proficiency in a local language would be advantageous;

## **6.2 Key Requirements**

- Appropriate post-graduate qualification in the field of Environmental Sciences, Business Development or similar;
- Demonstrated report writing skills;
- Proven track record of training and skills development;
- Experience working within the Greater Kruger region;
- Excellent verbal and written competency in English;
- Drivers licence.

**7. FUNCTIONALITY**

| # | CRITERIA                              | SUBMISSION REQUIREMENTS   | WEIGHT     |
|---|---------------------------------------|---|------------|
| 1 | Organizational experience             | <p>Service providers should submit reference letters of previous similar work conducted. Trainee certificates will need to be submitted, and experience would need to reflect previous assignments.</p> <p><b>The reference letters must be signed and contact details of the author must be provided. Letters not meeting this requirement won't be considered.</b></p> <ul style="list-style-type: none"> <li>• Five (5) references and above in the past 5 years = <b>30</b></li> <li>• Three (3) to Four (4) references in the past 5 years =<b>20</b></li> <li>• Two (2) relevant references in the past 5 years =<b>15</b></li> <li>• One (1) relevant reference in the past 5 years = <b>5</b></li> <li>• <b>0 = 0 points</b></li> </ul> | 30         |
| 2 | Capacity and technical skills         | <p>The service provider is required to provide CV's and qualifications of the facilitators based on the specific training that the service provider is applying for.</p> <ul style="list-style-type: none"> <li>• More than 10 years' experience= <b>30</b></li> <li>• 5-10 years' experience = <b>25</b></li> <li>• Less than 5 years' experience= <b>20</b></li> </ul>  | 30         |
| 3 | Proposed project plan and methodology | <p>The service provider should provide a detailed training programme or manual based on the key areas identified.</p> <ul style="list-style-type: none"> <li>• Satisfactory = <b>40</b></li> <li>• Fair= <b>15</b></li> <li>• Poor = <b>5</b></li> <li>• Non submission = <b>0</b></li> </ul>   | 40         |
|   |                                       | <b>TOTAL</b>  | <b>100</b> |

Only bidders who achieve a total minimum of 70 points of the total of 100 (i.e. 70%) will be considered for appointment.

## **8. COMPLIANCE AND GOVERNANCE VERIFICATION DOCUMENTS (Standard Bidding Documents)**

The verification during this phase is to assess the bid responses for purposes of verifying compliance with RFQ requirements, whereby a bidder may be disqualified if they do not fully comply with requirements as stipulated below:

- Submission of fully completed SBD1 (Invitation to Bid),
- Submission of a quotation on the company letterhead,
- Submission of fully completed SBD 4 (Bidder's disclosure),
- Submission of fully completed SBD 7.1 / 7.2
- Tax clearance certificate
- B-BEE Certificate accredited by SANAS or Sworn affidavit

## **9. CENTRAL SUPPLIER DATABASE INFORMATION**

Bidders are required to be registered on the Central Supplier Database (CSD) of National Treasury. Failure to submit the requested information may lead to disqualification. (Please provide proof of registration on the Central Supplier Database)

## **10. PRICING**

Bidders are encourage to provide price proposals on their company templates

SANParks reserves the right to appoint any bidder, whose solutions meet the expected outcome. SANParks is not mandated to appoint high scoring bidders on price & PPPFA calculations outcome.

## **11. PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013 (POPIA)**

SANParks adheres to the Protection of Personal Information Act, 4 of 2013 (POPIA) requirements regarding personal information which came into effect 1 July 2021.

As SANParks, we are committed to protecting your privacy and ensuring that personal information collected is used properly, lawfully and transparently.

## **12. TIMELINES**

Upon appointment the recommended contractor/s are expected to confirm their delivery turnaround time, failure to confirm, SANParks reserves the right to cancel the contract with the contractor.

## **13. FINANCIAL PAYMENT**

Upon appointment the recommended contractor is expected to confirm that they will provide service on the stipulated dates upon receiving a Purchase Order, failure to adhere to the above, SANParks reserve the right to cancel the issued Purchase Order.

## **14. FINAL AWARD**

SANParks recommends the bidder who has quoted on all the items as required in terms of the RFQ for the contract award subject to the bidder having supplied the relevant administrative documentation and complied in all aspects with the terms and conditions and requirements of the RFQ.

**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 |
|-----------|-----------------|---------------------------|
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |

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<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.

**2.2** Do you, or any person connected with the bidder, have a relationship with

Any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
.....

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

2.3.1 If so, furnish particulars:

.....  
.....

**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.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the

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<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.

date and time of the official bid opening or of the awarding of the contract.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

|           |                |
|-----------|----------------|
| .....     | .....          |
| Signature | Date           |
| .....     | .....          |
| Position  | Name of bidder |

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

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

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

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**1. GENERAL CONDITIONS**

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

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

**1.2**

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

1.3 Points for this bid shall be awarded for:

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

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

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

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

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

## 2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

- (e) “EME” means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) “**Functionality**” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) “**prices**” includes all applicable taxes less all unconditional discounts;
- (h) “**proof of B-BBEE status level of contributor**” means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) “**QSE**” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

### 3. POINTS AWARDED FOR PRICE

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

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

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

Where

- P<sub>s</sub> = Points scored for price of bid under consideration
- P<sub>t</sub> = Price of bid under consideration
- P<sub>min</sub> = Price of lowest acceptable bid

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

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

| <b>B-BBEE Status Level of Contributor</b> | <b>Number of points (90/10 system)</b> | <b>Number of points (80/20 system)</b> |
|---|--|--|
| 1   | 10                                     | 20                                     |
| 2   | 9                                      | 18                                     |
| 3   | 6                                      | 14                                     |
| 4   | 5                                      | 12                                     |
| 5   | 4                                      | 8                                      |
| 6   | 3                                      | 6                                      |
| 7   | 2                                      | 4                                      |
| 8   | 1                                      | 2                                      |
| Non-compliant contributor                 | 0                                      | 0                                      |

**5. BID DECLARATION**

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

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

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

(Points claimed in respect of Paragraph 6.1 must be in accordance with the table reflected in Paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

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

*(Tick applicable box)*

|     |                          |    |                          |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

7.1.1 If Yes, indicate:

i) What percentage of the contract will be subcontracted ..... %

ii) The name of the sub-contractor.....

.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE:

*(Tick applicable box)*

|     |                          |    |                          |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

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

| <b>Designated Group: An EME or QSE which is at last 51% owned by:</b> | <b>EME</b><br>√ | <b>QSE</b><br>√ |
|---|-----------------|-----------------|
| 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 |  |  |
| <b>OR</b>                              |  |  |
| Any EME                                |  |  |
| Any QSE                                |  |  |

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

**8.1** Name of Company/Firm: .....

**8.2** VAT Registration Number: .....

**8.3** Company Registration Number: .....

**8.4 TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....

.....

.....

.....

**8.6 COMPANY CLASSIFICATION**

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

**8.8** I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contributor indicated in paragraphs 4.1 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be

restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

- (e) Forward the matter for criminal prosecution.

