



## TERMS OF REFERENCE

**Leasing Opportunity: Newly Constructed Vendor  
Stalls at Cape Agulhas Lighthouse Tourism Precinct,  
Agulhas National Park (Three-Year Term)**

RFQ NO:

31543/AGNP/2026-27

## REQUEST FOR QUOTATION

You are hereby invited to submit proposal / price quotation for:

**Leasing Opportunity: Newly Constructed Vendor Stalls at Cape Agulhas Lighthouse Tourism Precinct, Agulhas National Park (Three-Year Term)**

|                                      |                                                                                                                                                                                                      |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RFQ NUMBER</b>                    | <b>31543/AGNP/2026-27</b><br><b>Please reference RFQ number on email subject line for bid submission</b>                                                                                             |
| <b>ADVERTISEMENT DATE</b>            | <b>17 July 2026</b>                                                                                                                                                                                  |
| <b>CLOSING DATE</b>                  | <b>27 July 2026</b>                                                                                                                                                                                  |
| <b>CLOSING TIME</b>                  | <b>16:00 pm</b>                                                                                                                                                                                      |
| <b>BID DOCUMENT DELIVERY ADDRESS</b> | <a href="mailto:agulhas.scm@sanparks.org">agulhas.scm@sanparks.org</a><br><b>NB: All responses must be submitted on the above dedicated mailbox. No hand delivery submission will be considered.</b> |
| <b>BID VALIDITY PERIOD</b>           | <b>90 days (commencing from the RFQ Closing Date)</b>                                                                                                                                                |
| <b>ENQUERIES</b>                     | Email: <a href="mailto:agulhas.scm@sanparks.org">agulhas.scm@sanparks.org</a><br>Contact no: 028 435 6078                                                                                            |
| <b>OFFERS SUBMITTED</b>              | <b>No alternative offers/ options will be accepted.</b>                                                                                                                                              |

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

|                                                                                                                                                                                                                            |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN NATIONAL PARKS</b>                                                                                                                                  |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |
| BID NUMBER:                                                                                                                                                                                                                | 31543/AGNP/2026-27                                                                                                                        | CLOSING DATE: | 27/07/2026                                                                                          | CLOSING TIME:                                            | 16:00                                                                                                 |
| DESCRIPTION                                                                                                                                                                                                                | Leasing Opportunity: Newly Constructed Vendor Stalls at Cape Agulhas Lighthouse Tourism Precinct, Agulhas National Park (Three-Year Term) |               |                                                                                                     |                                                          |                                                                                                       |
| <b>BID RESPONSE DOCUMENTS MAY BE SENT TO THE BELOW EMAIL</b>                                                                                                                                                               |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |
| <a href="mailto:agulhas.scm@sanparks.org">agulhas.scm@sanparks.org</a>                                                                                                                                                     |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>                                                                                                                                                                      |                                                                                                                                           |               | <b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>                                                      |                                                          |                                                                                                       |
| CONTACT PERSON                                                                                                                                                                                                             | Sibabalo Mbengashe                                                                                                                        |               | CONTACT PERSON                                                                                      | Nkateko Silinda                                          |                                                                                                       |
| TELEPHONE NUMBER                                                                                                                                                                                                           | 021 741 2320                                                                                                                              |               | TELEPHONE NUMBER                                                                                    | 028 435 6078                                             |                                                                                                       |
| E-MAIL ADDRESS                                                                                                                                                                                                             | Sibabalo.mbengashe@sanparks.org                                                                                                           |               | E-MAIL ADDRESS                                                                                      | Nkateko.silinda@sanparks.org                             |                                                                                                       |
| <b>SUPPLIER INFORMATION</b>                                                                                                                                                                                                |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |
| NAME OF BIDDER                                                                                                                                                                                                             |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |
| POSTAL ADDRESS                                                                                                                                                                                                             |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |
| STREET ADDRESS                                                                                                                                                                                                             |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |
| TELEPHONE NUMBER                                                                                                                                                                                                           | CODE                                                                                                                                      |               | NUMBER                                                                                              |                                                          |                                                                                                       |
| CELLPHONE NUMBER                                                                                                                                                                                                           |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |
| FACSIMILE NUMBER                                                                                                                                                                                                           | CODE                                                                                                                                      |               | NUMBER                                                                                              |                                                          |                                                                                                       |
| E-MAIL ADDRESS                                                                                                                                                                                                             |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |
| VAT REGISTRATION NUMBER                                                                                                                                                                                                    |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |
| SUPPLIER COMPLIANCE STATUS                                                                                                                                                                                                 | TAX COMPLIANCE SYSTEM PIN:                                                                                                                |               | OR                                                                                                  | CENTRAL SUPPLIER DATABASE No:                            | MAAA                                                                                                  |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE                                                                                                                                                                               | TICK APPLICABLE BOX]<br><br><input type="checkbox"/> Yes <input type="checkbox"/> No                                                      |               | B-BBEE STATUS LEVEL SWORN AFFIDAVIT<br><br><input type="checkbox"/> Yes <input type="checkbox"/> No |                                                          | [TICK APPLICABLE BOX]<br><br><input type="checkbox"/> Yes <input type="checkbox"/> No                 |
| <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?                                                                                                                              | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES ENCLOSE PROOF]                                                        |               | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?                            |                                                          | <input type="checkbox"/> Yes <input type="checkbox"/> No<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)?                                                                                                                                                            |                                                                                                                                           |               |                                                                                                     | <input type="checkbox"/> YES <input type="checkbox"/> NO |                                                                                                       |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA?                                                                                                                                                                                  |                                                                                                                                           |               |                                                                                                     | <input type="checkbox"/> YES <input type="checkbox"/> NO |                                                                                                       |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?                                                                                                                                                                 |                                                                                                                                           |               |                                                                                                     | <input type="checkbox"/> YES <input type="checkbox"/> NO |                                                                                                       |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?                                                                                                                                                                      |                                                                                                                                           |               |                                                                                                     | <input type="checkbox"/> YES <input type="checkbox"/> NO |                                                                                                       |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?                                                                                                                                                                  |                                                                                                                                           |               |                                                                                                     | <input type="checkbox"/> YES <input type="checkbox"/> NO |                                                                                                       |
| <b>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.</b> |                                                                                                                                           |               |                                                                                                     |                                                          |                                                                                                       |

## PART B TERMS AND CONDITIONS FOR BIDDING

### 1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. 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 SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

### 2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE [WWW.SARS.GOV.ZA](http://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**

The purpose of this Request for Quotation (RFQ) is to invite suitably qualified bidders to submit written proposals for the lease of newly constructed vendor stall(s), each measuring approximately 8m<sup>2</sup> × 9m<sup>2</sup>, situated within Agulhas National Park at the Cape Agulhas Lighthouse Tourism Precinct (GPS Coordinates: Longitude 20°00'6" E; Latitude 34°49'08" S).

The lease will be awarded for a fixed period of three (3) years. This leasing opportunity forms part of the broader initiative to enhance visitor services and commercial activities within the precinct.

## **2. BACKGROUND**

South African National Parks (SANParks) is a public entity functioning under National Environmental Management: Protected Areas Act 57 of 2003 (Act 57 of 2003); with the mandate to conserve; protect; control; and manage national parks and other defined protected areas and their biological diversity (Biodiversity). As a public entity, SANParks is also governed by the Public Finance Management Act, Act 1 of 1999 (as amended by Act 29 of 1999), and it is listed as Schedule 3 Part A: public entity.

The primary mandate of SANParks is to expand, protect, conserve, and control the system of national parks, terrestrial and marine, that it is assigned to manage. SANParks currently manages over 4 million hectares of terrestrial and 369 657 ha marine protected biodiversity through a system of 21 National Parks and 10 Marine Protected Areas: (MPAs), representing approximately 67% of state owned terrestrial protected areas and 22% of State Managed MPAs. This places SANParks in an ideal position to not only meaningfully contribute to the protection and sustainable use of the megadiverse biodiversity of South Africa, but also to be a key player in building climate resilience through ecosystem-based mitigation and adaptation.

## **3. SCOPE OF WORK**

The appointed operator will be responsible for the leasing, management, and day-to-day operation of one vendor stall located within the Cape Agulhas Lighthouse Tourism Precinct in Agulhas National Park.

The scope includes, but is not limited to, the following:

The successful bidder (the Lessee) will be responsible for the leasing, management, and operation of one vendor stall located within the Cape Agulhas Lighthouse Tourism Precinct, Agulhas National Park. The scope of work includes, but is not limited to, the following:

### **3.1 Commercial Operations and Activities**

- Operate a tourism-focused retail business that enhances the visitor experience and complements nearby facilities, including the restaurant, curio shop, and adjacent vendor stalls.
- Offer tourism-related retail products only, with a strong emphasis on locally produced, environmentally responsible, and culturally relevant items.

- Ensure that all goods sold are environmentally friendly and do not cause harm to the park's natural or built environment.
- The sale of food and beverages is strictly prohibited within the vendor stall.

### **3.2 Equipment and Stock**

- Provide, at own cost, all equipment, furnishings, and stock required to operate the business effectively.
- Ensure that all equipment is suitable for use within a protected area and complies with applicable safety and environmental standards.

### **3.3 Facility and Building Management**

- Maintain the vendor stall in a clean, safe, and presentable condition at all times.
- Ensure compliance with all applicable building regulations and SANParks standards.
- Obtain prior written approval from SANParks before installing any interior furniture, fixtures, décor, or artwork.
- The use of gas appliances and open flames is strictly prohibited within the stall.
- Use the stall strictly for trading purposes; storage or non-commercial use is not permitted.

### **3.4 Environmental Responsibility**

- Operate in a manner aligned with SANParks' conservation objectives and environmental policies.
- Promote sustainable practices, including:
  - Use of recyclable and biodegradable materials
  - Minimisation of plastic usage
  - Strict prohibition of Styrofoam products
- Ensure responsible waste management and minimal environmental impact at all times.

### **3.5 Operations and Customer Management**

- Manage day-to-day business operations, including staffing and customer service, in a professional and efficient manner.
- Ensure the stall operates during agreed trading hours, including peak tourism periods.<sup>2</sup>
- Maintain high standards of customer engagement and service delivery consistent with a premier tourism destination.

### **3.6 Utilities and Infrastructure**

- Make responsible use of the available electrical infrastructure within the stall.
- Note that no potable water supply is available within the stall.
- Make use of shared public ablution facilities provided within the precinct.

### **3.7 Financial and Administrative Requirements**

- Implement appropriate business systems, including the use of electronic card payment facilities and a cash register.
- Provide income disclosures and financial information to SANParks upon request.
- Comply with all terms and conditions of the lease agreement for the full duration of three (3) years.
- Performance will be subject to quarterly reviews, and non-performance may result in contract termination.

### **3.8 Regulatory Compliance**

The Lessee must familiarise themselves with and comply with all applicable legislation, policies, and management plans governing operations within Agulhas National Park, including but not limited to:

- National Environmental Management: Protected Areas Act (Act No. 57 of 2003)
- National Environmental Management: Biodiversity Act (Act No. 10 of 2004)
- Agulhas National Park Management Plan
- Relevant Operational Environmental Management Plans (OEMP) and Standard Operating Procedures

### **3.9 Contract Duration and Trading**

- The lease agreement will be valid for a period of three (3) years.
- Trading may take place daily at the designated site, subject to SANParks' operational requirements and approved trading hours.

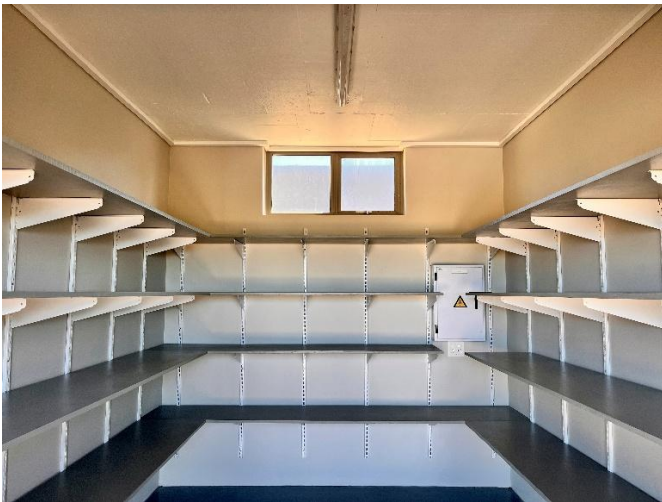
**Images of the 1 vendor stall: Coordinates: 34,82848° S, 20,00942° E**



**Vendor stall 1: Outside image**



**Vendor stall 1: Closed images**



**Vendor stall 1: Inside image**



**Vendor stall 1: Inside image**

#### 4. COMPLIANCE AND GOVERNANCE VERIFICATION DOCUMENTS (Standard Bidding Documents) - RETURNABLES

SANParks has set out the minimum administrative criteria that must be met by a bidder. The below administrative documents must be completed and signed by the authorized representative of a bidder. If a bidder fails to fully comply with the criteria, SANParks reserves the right at its sole discretion to allow such bidder an opportunity to submit and/or supplement the information and/or documentation submitted within a grace period of (seven) 7 calendar days prior to disqualifying the bidder.

SANParks will disqualify (where non-submission is indicated below to result in disqualification) a bidder who does not achieve full compliance with the criteria within the seven (7) calendar days grace period.

| Documents                                                                                                                                                                             | Instruction                                                                                                                | Will non-submission result in disqualification?                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| Submission of fully completed SBD1 (Invitation to Bid),                                                                                                                               | Bidders to complete and sign                                                                                               | Yes                                                                     |
| Submission of the pricing schedule in the RFQ document                                                                                                                                | Bidders to submit a completed pricing schedule                                                                             | Yes                                                                     |
| Submission of fully completed SBD 4 (Declaration of Interest),                                                                                                                        | Bidders to complete and sign                                                                                               | Yes                                                                     |
| Submission of fully completed SBD 6.1 (Preference Claim Certificate), accompanied by an original or certified B-BBEE Status Level Verification Certificate or B-BBEE Sworn Affidavit. | Bidders to complete and sign                                                                                               | No                                                                      |
| Proof of registration with National Treasury Central Supplier Database (CSD).                                                                                                         | Bidders must be registered on CSD prior to submitting quotation. Bidders are required to submit proof of such registration | No.<br><br>A bidder must be registered on CSD to be eligible for award. |

#### 5. 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).

### ✓ **Business and Operational Documentation**

Comprehensive operational business proposal including:

- Business proposal: A detailed outline of the proposed operations and strategic approach.
- Product/service offerings (with emphasis on locally sourced and eco-friendly items)
- Environmental and cultural alignment (Commitment to environmentally responsible practices (e.g., minimal plastic use, recycling). Product selection aligned with SANParks' conservation and cultural heritage values)
- Undertaking to obtain public liability insurance with a minimum coverage of R 250 000.00 (Two hundred and fifty thousand rand). Please confirm the undertaking in writing and the coverage amount.

## 7. PRICING

**NB: No alternative offers/ options will be accepted.**

**Please complete pricing schedule fully.**

**Leasing Opportunity: Newly Constructed Vendor Stalls at Cape Agulhas Lighthouse Tourism Precinct, Agulhas National Park (Three-Year Term)**

| No                                                 | Item Description                                         | Vendor stalls | Year (12 months) | Rands ( R ) |
|----------------------------------------------------|----------------------------------------------------------|---------------|------------------|-------------|
| 1                                                  | Rental for year 1 per annum                              | 1             | 1                | R           |
| 2                                                  | Rental for year 2 (including escalation of 6% per annum) | 1             | 2                | R           |
| 3                                                  | Rental for year 3 (including escalation of 6% per annum) | 1             | 2                | R           |
| Total Excl. VAT                                    |                                                          |               |                  |             |
| VAT @ 15% <b>(For VAT registered vendors only)</b> |                                                          |               |                  |             |
| Total incl. VAT                                    |                                                          |               |                  |             |

## **8. 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.

## **9. TIMELINES**

The bidder is expected to start the service immediately after lease agreement is signed by all parties.

## **10. FINANCIAL PAYMENT**

Payment will be effected in accordance with the PFMA.

## **11. 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.

**DECLARATION OF INTEREST (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.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

<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.

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

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

*(delete whichever is not applicable for this tender).*

- a) The applicable preference point system for this tender is the 80/20 preference point system.

**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 quotations, 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 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>                                              |  |
| <br>                                                      |           |                                                           |  |
| $Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$ | or        | $Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$ |  |

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = 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 or 90 points is allocated for price on the following basis:

80/20

or

90/10

$$Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

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:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system: or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

***(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.***

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

| The specific goals allocated points in terms of this tender                                   | Source Documents to be used for Evaluation.<br>(To qualify for the points, bidders must provide the below proof)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Number of points allocated<br>(80/20 system)<br>(To be completed by the organ of state)                                                                                                                                                                             | Number of points claimed<br>(80/20 system)<br>(To be completed by the tenderer) |
|-----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Local suppliers adjacent to SANParks operations (within the 200km from Agulhas National Park) | <ul style="list-style-type: none"> <li>• Municipal rates bill in the name of the bidder company or name of directors of the company (not older than 3 months); or</li> <li>• Local municipality confirming business address (not older than 3 months); or,</li> <li>• Signed and valid Lease agreement (Submit proof of latest rental payment - not older than three months (bank proof, EFT slips or receipts that match the landlords' details on the lease agreement)</li> <li>• NB. The municipality rates bill provided must be where the business operates (Where a supplier is a tenant, they must submit a copy of the municipal bill plus a letter of consent from the landlord tying the business to the address).</li> </ul> | <div data-bbox="906 472 1249 667" style="border: 2px solid green; border-radius: 50%; padding: 10px; display: inline-block; text-align: center;"> <b>CLAIM<br/>POINTS IF<br/>YOU QUALIFY</b> </div> <p style="text-align: center; margin-top: 100px;">10 points</p> | (number only)                                                                   |
| B-BBEE Procurement Recognition Level 1 to 4                                                   | <ul style="list-style-type: none"> <li>• Valid BBBEE certificate issued by SANAS accredited verification Agency</li> <li>• Affidavit (CIPC, DTIC Sworn affidavit)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 10 points                                                                                                                                                                                                                                                           | (number only)                                                                   |

#### 4 DECLARATION WITH REGARD TO COMPANY/FIRM

4.1. Name of company/firm.....

4.2. Company registration number: .....

##### 4.3. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.4. 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 3.2, **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 forward the matter for criminal prosecution, if deemed necessary.
  - (e) forward the matter for criminal prosecution, if deemed necessary

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

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

**DATE:** .....

**ADDRESS:** .....

.....

.....

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