



TERMS OF REFERENCES

**RENTAL OF OPEN SPACE TO OPERATE A MOBILE FOOD AND/OR NON-
ALCOHOLIC BEVERAGES TRUCK OR KIOSK WITHIN THE TABLE
MOUNTAIN NATIONAL PARK (36 MONTHS)**

RFQ NUMBER: 32488/TMNP/2026-27

REQUEST FOR QUOTATION	
ADVERTISEMENT: THE APPOINTMENT OF A SUPPLIER TO RENT AN OPEN SPACE IN TMNP TO OPERATE A MOBILE FOOD AND/OR NON-ALCOHOLIC BEVERAGES TRUCK OR KIOSK WITHIN TABLE MOUNTAIN NATIONAL PARK FOR A PERIOD OF 36 MONTHS	
RFP NUMBER:	32488/TMNP/2026-27
ADVERTISEMENT DATE:	14 August 2026
CLOSING DATE:	11 September 2026
CLOSING TIME:	11h00
COMPULSORY MEETING:	SITE Venue: Tokai forest and Picnic Site Tokai Road Tokai Date: 4 September 2026 Time: 09h00
RFP DOCUMENT DELIVERY ADDRESS:	Tablemountain.scm@sanparks.org Please reference RFQ number on email subject line for bid submission.
RFP VALIDITY PERIOD:	90 days (commencing from the RFQ Closing Date)
TECHNICAL RELATED QUERIES	Jaclyn Smith Jaclyn.Smith@sanparks.org
SCM RELATED QUERIES	Sibabalo Mbengashe Sibabalo.Mbengashe@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 RFP other than the officials indicated 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:	32488/TMNP/2026-27	CLOSING DATE:	11 September 2026	CLOSING TIME:	11:00am
DESCRIPTION	ADVERTISEMENT: THE APPOINTMENT OF A SUPPLIER TO RENT AN OPEN SPACE IN TMNP TO OPERATE A MOBILE FOOD AND/OR NON-ALCOHOLIC BEVERAGES TRUCK OR KIOSK WITHIN TABLE MOUNTAIN NATIONAL PARK FOR A PERIOD OF 36 MONTHS				
BID RESPONSE DOCUMENTS MUST BE SENT TO THE DESIGNATED EMAIL ADDRESS					
Tablemountain.scm@sanparks.org Please reference RFQ number on email subject line for bid submission.					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Sibabalo Mbengashe		CONTACT PERSON	Jaclyn Smith	
TELEPHONE NUMBER	021 741 2320		TELEPHONE NUMBER	061 508 3740	
E-MAIL ADDRESS	Sibabalo.Mbengashe@sanparks.org		E-MAIL ADDRESS	Jaclyn.Smith@sanparks.org	
SUPPLIER INFORMATION					
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] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT ☐ Yes ☐ No		

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS			
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO			
DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO			
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO			
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO			
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO			
IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER BELOW.			

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 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.
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 RFQ is to invite suitably qualified bidders owning a mobile kiosk/truck suitable for selling food and/or non-alcoholic beverages to submit written proposals for renting one of five designated open spaces within Table Mountain National Park. The successful bidder will be granted the right to operate their own mobile kiosk/truck for the sale of food and/or non-alcoholic beverages for a period of thirty-six (36) months.

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 entities.

SANParks' operations are totally guided by its vision statement and mission statement. As a public entity, the organisation is committed to act in pursuance of transformation of South Africa's society in support of entrenching South Africa's democracy. In this regard, the organisation has adopted a transformation mission to guide its efforts accordingly.

3. SCOPE OF WORK

The Table Mountain National Park (TMNP) is one of 21 National Parks managed by South African National Parks (SANParks). The protected area consists of several iconic tourist destinations, including Table Mountain, Lions Head, Signal Hill and Cape Point and receives over 4.5 million visits per annum across the park. These visitor numbers create a platform for business opportunities in the Cape Town area.

SANParks, as a parastatal organ of state, wishes to promote entrepreneurship and support Small businesses as a driver of the local economy. To this end, TMNP wishes to invite qualified bidders who own mobile kiosk/truck suitable for sale of food and non-alcoholic beverages to submit written proposals for renting of one of five designated open spaces.

The opportunities identified for the open spaces include:

- Sale of food (hot and/or prepacked): where food is pre-packaged and/or prepared on site. Bidders should take note of the following requirements for selling hot food:
 - Electrical installations (including generator use), gas systems, and related equipment of the kiosk/truck should comply with relevant safety regulations and properly certified;
 - Successful bidder will be required to implement appropriate fire safety measures,
 - Successful bidder will be required to maintain a valid insurance cover (including public liability and fire risk)
 - Successful bidder should adhere to all health, safety, and hygiene standards at all times and ensure safe handling of fuel, gas storage, and waste management.
 - The successful bidder will be fully responsible for all risks associated with hot food operations, and any non-compliance may result in remedial action, suspension or termination of trading rights.
 - The successful bidder must comply with relevant municipality by-laws and regulations
- Sale of non-alcoholic beverages: where non-alcoholic beverages may be sold on site in the form of a variety of hot or cold drinks (beverages sold on site excludes alcoholic drinks, hot or cold). Examples of what may be sold include bottled water, fizzy drinks, juice, smoothies or tea, coffee.

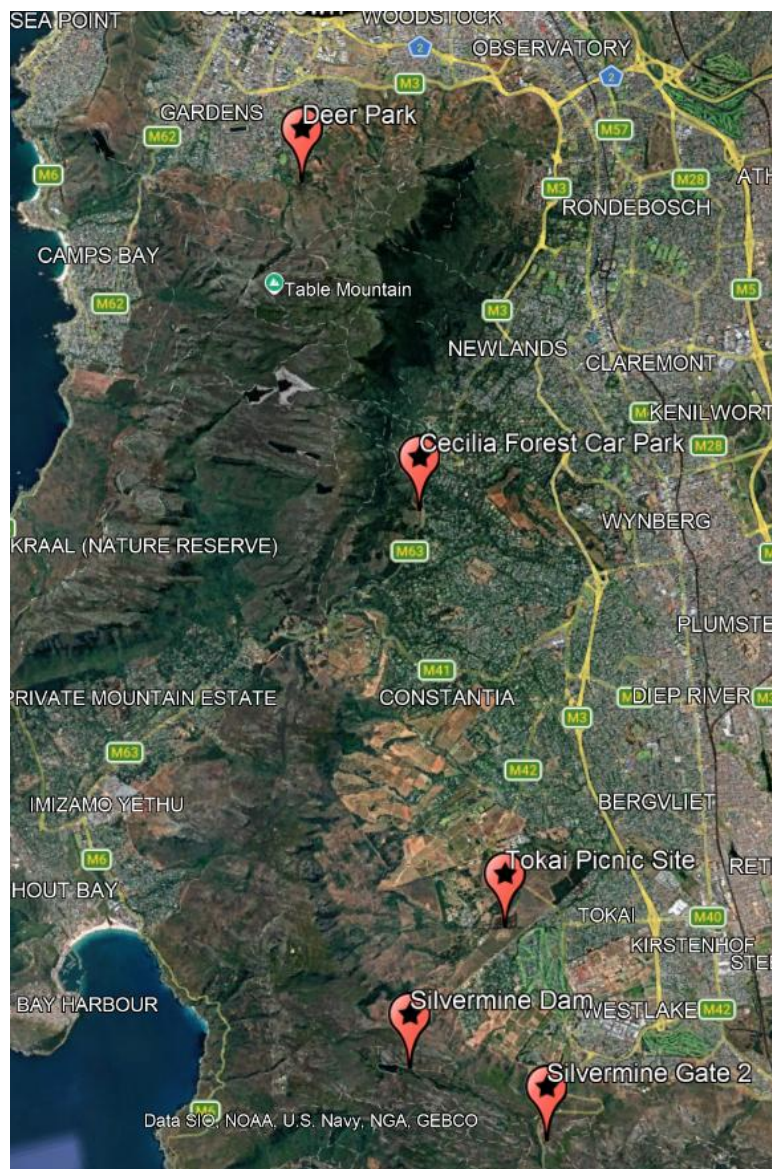
Successful bidders will be required to comply with the following:

- Trading may not take place outside of a mobile facility placed within the defined footprint of the trading space.
- The successful bidder may only conduct commercial operations for the site as identified in the RFP specifications document.
- Each trading site has a pre-determined location and footprint (extent) from which the trader may not deviate.
- The successful bidder shall operate on a daily basis throughout the year, from sunrise to sunset, unless otherwise authorised in writing by TMNP.
- The successful bidder may only suspend trading due to reasonable operational constraints, including adverse weather conditions that may render trading unsafe or impractical. Any such suspension shall be communicated to TMNP where required and shall not be used to avoid or limit the obligation to provide consistent service during normal operating conditions.
- The successful bidder shall maintain a minimum trading availability of at least ninety percent (90%) of the total possible trading days per annum. Failure to meet this minimum availability requirement, without valid and documented justification acceptable to TMNP, may constitute non-compliance and may result in remedial action, suspension, or termination of the permit.
- The successful bidder must provide ablution facilities to their patrons

- The mobile kiosk/truck may remain on-site overnight only where prior written approval has been granted by TMNP and where a designated overnight parking area has been allocated. The successful bidder shall ensure that the facility is secured, unoccupied, and does not result in any environmental impact, safety risk, or visual intrusion. Overnight occupation or use of the facility as accommodation is strictly prohibited.

Below are the five open spaces available for rental. Bidders must be mindful of baboons in some areas of the park (e.g. Tokai Picnic site and Cecilia Forest Parking) and take measures to avoid baboons accessing food and beverages

Bids for each site will be evaluated independently of other sites (i.e. the bidder must specify which site they are bidding for) and put in a bid for each site separately. Bidders are welcome to submit proposals for one or more sites, should they so prefer.



Site Name	Product/Service	GPS Coord	Extent	Water availability	Electricity availability	Ablution availability
Silvermine Gate 2	Food & Beverage Sales	18°24'10.66 E 33°55'4.01 S	15 m ²	No	No	Yes
Silvermine dam	Food & Beverage Sales	18°23'41.16 E 33°56'93 S	12 m ²	No	No	Yes
Cecilia Forest Parking	Food & Beverage Sales	18°24'19.29 E 34°0'41.90 S	20 m ²	No	No	No
Tokai Picnic Site	Food & Beverage Sales	34°03 35.86 E 18° 25 27.62 S	12m ²	No	No	Yes
Deer Park Parking	Food & Beverage Sales	18°25'35.01"E 33°59'54.05"S	25m ²	No	No	No

The following reference numbers must be used by bidders when submitting proposals for their selected site(s) of interest:

REFERENCE NUMBER:	Designated area
A1	Silvermine Gate 2
A2	Silvermine dam
B1	Cecilia Forest Parking
C1	Tokai Picnic Site
D1	Deer Park Parking

3.1. SPECIFICATION

Bidders are advised that the designated trading sites within Table Mountain National Park are located in open, natural environments. As such, the successful bidders will be required to ensure that their mobile kiosk/ truck is fully equipped and self-sufficient to operate under these conditions and that security considerations are taken into account.

The following key considerations apply:

- 3.1.1. **Utilities:** Bidders must make provision for their own power supply (e.g. generator or solar) and potable water. Proper management of wastewater is also required.
- 3.1.2. **Waste management:** The successful bidder will be responsible for maintaining cleanliness at the site, including the provision of refuse bins waste collection, and environmentally responsible disposal practices. Recycling practices and use of sustainable packaging is preferable.
- 3.1.3. **Site conditions:** Trading areas will be designated open spaces. Bidders must ensure their setup is suitable for outdoor conditions, including wind and weather exposure, and does not damage the natural environment.
- 3.1.4. **Health and safety compliance:** All operations must comply with applicable food safety and health regulations. This includes appropriate hygiene facilities, fire safety equipment, and safe food handling practices.
- 3.1.5. **Accessibility and Operations:** Sites are generally located in high-footfall visitor areas. However, bidders must ensure that their operations do not obstruct pedestrian movement and that they can manage deliveries and restocking efficiently.
- 3.1.6. **Security:** While general park security measures may be in place, the service provider will be responsible for the safekeeping of their equipment and stock.
- 3.1.7. **Permits and compliance:** The appointed service provider will be required to obtain and maintain all necessary permits, licences, and approvals, and must comply with environmental regulations applicable to protected areas.
- 3.1.8. **Customer facilities:** Any additional customer amenities (e.g. seating or shade) will be subject to approval and must align with park regulations

3.1.9. **Baboon management:** the successful bidder shall be solely responsible for baboon management within their allocated operating area

3.1.10. The awarded bidder will be required to obtain public liability insurance with a minimum coverage of R 100 000.00 (Hundred thousand Rand).

3.1.11. There will be a compulsory site meeting that all interested bidders will be required to attend which will be communicated.

4. Operative specification

The successful bidder will be expected to familiarize themselves with, and comply with, the following legislation and operational plans while conducting business within the National Park:

- ✓ National Environmental Management: Protected Areas Act 57 of 2003
- ✓ Table Mountain National Park Management Plan
- ✓ National Environmental Management: Biodiversity Act 10 of 2004

The successful bidder will be issued an operating permit which will be valid for a duration of three (3) years, during which trading may take place daily at the designated site.

The successful bidder will be required to obtain public liability insurance with a minimum coverage of R 100 000.00 (Hundred thousand Rand).

5. 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 RFP 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. (Quote Breakdown)
- Submission of fully completed SBD 4 (Bidder's disclosure).
- Submission of fully completed SBD6.1 (Preferential points claim form).

In order to qualify for preference points for HDI and/or Specific Goals, it is the responsibility of the bidder to submit documentary proof (BBBEE certificate or sworn affidavits and for Promotion of local suppliers/service providers: Municipality rates/utilities statement not older than 3 months or Facilities/Premises lease agreement) in support of bidders claims for such preference for that specific goal.

Bidders are further referred to the content of the (SBD 6.1) Preference Schedule for the full terms and conditions applicable to the awarding of preference points.

- Submission of BBBEE certificate or Sworn affidavit
- Municipality rates/utilities statement not older than 3 months or Facilities/Premises lease agreement
- Submission of fully completed SBD7.3 (Contract Form) in case of a contract.

Price

Eighty (80) points maxima. The highest financial offer will score eighty (80) points with lower offers scoring proportionately in relation to the highest offer.

Specific Goals

Twenty (20) points maxima, which shall be measured and compiled as follows: Specific Goals.

Mandatory Requirements:

Bidders who fail to submit any of the mandatory required documentation will be eliminated.

✓ **Business and Operational Documentation**

Comprehensive operational business proposal including:

- Business proposal: A detailed outline of the proposed operations, including Environmental considerations (Commitment to environmentally responsible practices (e.g., minimal plastic use, recycling) and product/service offerings(with emphasis on locally sourced and eco-friendly items)

6. 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.

7. 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.

8. PRICING SCHEDULE

8.1. PRICING SCHEDULE – NON-FIRM PRICE

REFERENCE NUMBER B1: LEASING OF AN OPENSOURCE IN CECILIA FOREST PARKING TO OPERATE A MOBILE FOOD AND/OR NON-ALCOHOLIC BEVERAGES TRUCK OR KIOSK FOR A PERIOD OF THREE (3) YEARS	
Rental for year 1 per annum	R
Rental for year 2 (including escalation of ____% per annum)	R
Rental for year 3 (including escalation of ____% per annum)	R
TOTAL RENTAL PRICE FOR THREE (3) YEARS	R

8.2. PRICING SCHEDULE – NON-FIRM PRICE

REFERENCE NUMBER A1: LEASING OF AN OPENSOURCE IN SILVERMINE GATE 2 TO OPERATE A MOBILE FOOD AND/OR NON-ALCOHOLIC BEVERAGES TRUCK OR KIOSK FOR A PERIOD OF THREE (3) YEARS	
Rental for year 1 per annum	R
Rental for year 2 (including escalation of ____% per annum)	R
Rental for year 3 (including escalation of ____% per annum)	R
TOTAL RENTAL PRICE FOR THREE (3) YEARS	R

8.3. PRICING SCHEDULE – NON-FIRM PRICE

REFERENCE NUMBER A2: LEASING OF AN OPENSOURCE IN SILVERMINE DAM TO OPERATE A MOBILE FOOD AND/OR NON-ALCOHOLIC BEVERAGES TRUCK OR KIOSK FOR A PERIOD OF THREE (3) YEARS	
Rental for year 1 per annum	R
Rental for year 2 (including escalation of ____% per annum)	R
Rental for year 3 (including escalation of ____% per annum)	R

annum)	
TOTAL RENTAL PRICE FOR THREE (3) YEARS	R

8.4. PRICING SCHEDULE – NON-FIRM PRICE

REFERENCE NUMBER C1: LEASING OF AN OPENSOURCE IN TOKAI PICNIC AREA TO OPERATE A MOBILE FOOD OR/AND NON-ALCOHOLIC BEVERAGES TRUCK OR KIOSK FOR A PERIOD OF THREE (3) YEARS	
Rental for year 1 per annum	R
Rental for year 2 (including escalation of ____% per annum)	R
Rental for year 3 (including escalation of ____% per annum)	R
TOTAL RENTAL PRICE FOR THREE (3) YEARS	R

8.5. PRICING SCHEDULE – NON-FIRM PRICE

REFERENCE NUMBER D1: LEASING OF AN OPENSOURCE IN DEER PARK TO OPERATE A MOBILE FOOD OR/AND NON-ALCOHOLIC BEVERAGES TRUCK OR KIOSK FOR A PERIOD OF THREE (3) YEARS	
Rental for year 1 per annum	
Rental for year 2 (including escalation of ____% per annum)	
Rental for year 3 (including escalation of ____% per annum)	
TOTAL RENTAL PRICE FOR THREE (3) YEARS	

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 interest¹ 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:

.....

¹ 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 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 consortium² 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.

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

² 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.

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

- 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:

80/20

or

90/10

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

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	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Promotion of local suppliers/service providers 0 to 50km from Table Mountain National Park= 5 Points 51km and above = 0 Points (Attach proof: Municipality utility bill, or valid Lease agreement)	5	
Exempted Micro Enterprises; - 10 points Qualifying Micro Enterprise; - 5 points (Attach B-BBEE certificate / B-BBEE	10	

affidavit)		
100% Black-owned company = 5 points Black people with at least 51% shareholding or more = 3 points 0% Black-owned company = 0 points	5	
TOTAL POINTS CLAIMED BY THE SERVICE PROVIDER	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name _____ of
company/firm.....

4.4. Company _____ registration _____ number:
.....

4.5. 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]

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

- i) The information furnished is true and correct.
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct.
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process.
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct.
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.

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

- (d) forward the matter for criminal prosecution, if deemed necessary

.....	
SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:	
DATE:	
ADDRESS:	
	

CONTRACT FORM - SALE OF GOODS/WORKS

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE SELLER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE SELLER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to purchase all or any of the goods and/or works described in the attached bidding documents from (name of institution)..... in accordance with the requirements stipulated in (bid number)..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the seller during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) cover all my obligations and I accept that any mistakes regarding price(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I undertake to make payment for the goods/works as specified in the bidding documents.
6. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

7. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

CONTRACT FORM - SALE OF GOODS/WORKS**PART 2 (TO BE FILLED IN BY THE SELLER)**

1. I.....in my capacity as..... accept your bid under reference numberdated.....for the purchase of goods/works indicated hereunder and/or further specified in the annexure(s).
2. I undertake to make the goods/works available in accordance with the terms and conditions of the contract.

ITEM NO.	DESCRIPTION	PRICE (ALL APPLICABLE TAXES INCLUDED)		

4. I confirm that I am duly authorised to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

--

WITNESSES
1.
2.
DATE



Legend:

Vendor stalls and Curio shop

