



**KWAZULU-NATAL PROVINCE**

**HUMAN SETTLEMENTS**  
REPUBLIC OF SOUTH AFRICA

## **DEPARTMENT OF HUMAN SETTLEMENTS**

### **REQUEST FOR PROPOSAL**

**APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE  
CONSTRUCTION OF TOP STRUCTURES USING ALTERNATIVE  
TECHNOLOGY FOR A PERIOD OF 36 MONTHS.**

**ZNB79/2021/22HSE**

## CHECKLIST

	SECTIONS COMPLETED	YES	NO
SECTION A	INVITATION TO BID Completed and signed		
PART B	TERMS AND CONDITIONS FOR BIDDING Please read and adhere to all instructions, submit valid Tax Clearance Certificate or a Tax Status Compliance PIN.		
SECTION B	TAX CLEARANCE CERTIFICATE REQUIREMENTS		
SECTION C	SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF BIDDING FORMS Please read and adhere to all instructions		
SECTION D	BIDDER'S DISCLOSURE Completed and signed. In additional to other areas, detailed info in question 3 must be provided		
SECTION E	OFFICIAL BRIEFING SESSION/SITE INSPECTION CERTIFICATE Completed and signed		
SECTION F	PRICING SCHEDULE Completed and signed		
SECTION G	PREFERENCE POINTS CLAIM FORM Completed and signed		
SECTION H	REGISTRATION ON CENTRAL SUPPLIERS DATABASE (CSD) Service provider is registered with Central Suppliers Database in their NEW Suppliers Database .... database number provided. All service providers as well as all parties to JV, Trust, Consortium are registered with the above database and database number provided		
SECTION I	DECLARATION THAT INFORMATION ON CENTRAL SUPPLIERS DATABASE IS CORRECT AND UP TO DATE Confirmation completed and signed		
SECTION J	AUTHORITY TO SIGN A BID Complete the relevant paragraph and provide the documents required e.g.: - <b>COMPANIES:</b> Attach an original or certified copy of resolution by board of directors, personally signed by the chairperson, authorizing the person who signs this bid to do so. <b>PARTNERSHIP:</b> Attach Agreement signed by every partner with partner's details as stipulated in the document. Also, provide authorized signatory details. <b>CLOSE CORPORATION:</b> Certified copy of Founding Statement must be attached. Attach a resolution of members authorizing an official or member to sign document on behalf of the CC <b>CO-OPERATIVE:</b> A certified copy of the Constitution of the co-operative must be attached to the bid. Attach a resolution of members authorizing an official of member to sign document on behalf of the co-operative <b>JOINT VENTURE:</b> Attach a certified copy of JV Agreement. Attach a certified copy of resolution signed by duly authorized representative of the enterprise authorizing a representative to sign document on behalf of the JV <b>CONSORTIUM:</b> Attach a certified copy of Agreement. Attach a certified copy of resolution by duly authorized representative of the enterprises authorizing a representative to sign document on behalf of the Consortium		
SECTION K	CONDITION OF BID Completed and signed		
SECTION L	SPECIFICATIONS AND SCOPE OF WORK		
SECTION M	SPECIAL CONDITIONS OF CONTRACT Read carefully and adhere		
ANNEXURE A	GENERAL CONDITIONS OF CONTRACT Read carefully and adhere		
NOTE: Only original signatures are considered. Proof of registration with NHBRC and Agrema SA.			

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**SECTION A  
PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE KWAZULU-NATAL DEPARTMENT OF HUMAN SETTLEMENTS</b>					
BID NUMBER:	ZNB79/2021/22HSE	CLOSING DATE:	20 JULY 2022	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE CONSTRUCTION OF TOP STRUCTURES USING ALTERNATIVE TECHNOLOGY FOR A PERIOD OF 36 MONTHS.				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM.</b>					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN BID BOX NUMBER 04 SITUATED IN THE FOYER, 12 <sup>TH</sup> FLOOR,					
DEPARTMENT OF HUMAN SETTLEMENTS, EAGLE BUILDING, 353 – 363 DR PIXELY KASEME STREET, DURBAN, 4001					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	R. GAFOOR /J. MNQONDO/S BIYASE / S MKHIZE/ V MKHWANAZI		CONTACT PERSON	MR. MDUDUZI NHLOZI	
TELEPHONE NUMBER	031 336 5142/5166/5165/5420/5164		TELEPHONE NUMBER	033 392 6470	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	<a href="mailto:razia.gafoor@kzndhs.gov.za">razia.gafoor@kzndhs.gov.za</a> <a href="mailto:jabulani.mnqondo@kzndhs.gov.za">jabulani.mnqondo@kzndhs.gov.za</a> <a href="mailto:sihle.biyase@kzndhs.gov.za">sihle.biyase@kzndhs.gov.za</a> <a href="mailto:sizwe.mkhize@kzndhs.gov.za">sizwe.mkhize@kzndhs.gov.za</a> <a href="mailto:victor.mkhwanazi@kzndhs.gov.za">victor.mkhwanazi@kzndhs.gov.za</a>		E-MAIL ADDRESS	<a href="mailto:mduduzi.nhlozi@kzndhs.gov.za">mduduzi.nhlozi@kzndhs.gov.za</a>	
<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
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [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	
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.					

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**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 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:

.....

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**SECTION B**  
**TAX CLEARANCE CERTIFICATE REQUIREMENTS**

It is a condition of a bid that the taxes of the successful bidder **must** be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

1. In order to meet this requirement, bidders are required to complete in full the form TCC 001 "Application for a Tax Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate/ Valid Tax Compliance Pin Requirements are also applicable to foreign bidders/individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval. Copies of TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website [www.sars.gov.za](http://www.sars.gov.za).
3. The Tax Clearance Certificate / Valid Tax Compliance Status Pin must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia/Joint Ventures/Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Applications for the Tax Clearance Certificates / Valid Tax Compliance Status Pin may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website [www.sars.gov.za](http://www.sars.gov.za).

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**SECTION C**  
**SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF**  
**BIDDING FORMS**

PLEASE NOTE THAT THIS BID IS SUBJECT TO TREASURY REGULATIONS 16A ISSUED IN TERMS OF THE PUBLIC FINANCE MANAGEMENT ACT, 1999, THE KWAZULU-NATAL SUPPLY CHAIN MANAGEMENT POLICY FRAMEWORK AND THE GENERAL CONDITIONS OF CONTRACT.

1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and visa versa and with words importing the masculine gender shall include the feminine and the neuter.
2. Under no circumstances whatsoever may the bid forms be retyped or redrafted.
3. The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
4. **Bids submitted must be accurately completed. Bidders must ensure that all questions are answered. If questions are “not applicable”, bidders must ensure that “NA” is indicated in the relevant space. It is not permissible to leave blank spaces or unanswered questions. Bidders will only be considered if the bid document is accurately completed and accompanied by all relevant certificates and other necessary and applicable information. Original signature must appear on all relevant Sections of the bid document. Failure to comply with same will invalidate your bid.**
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid document
6. **Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. An electronic storage device containing only a scanned copy, in PDF format, of the bid shall be submitted together with the bid inside the sealed envelope. If this provision is not complied with, such bids may be rejected as being invalid.**
7. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids.
8. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
9. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery. No bid submitted by telefax, telegraphic or other electronic means will be considered.
10. Bidding documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
11. Any alteration made by the bidder must be initialed.
12. Use of correcting fluid/ erasable pen is prohibited.
13. Bids will be opened in public as soon as practicable after the closing time of bid.
14. Where practical, prices are made public at the time of opening bids.
15. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.
16. The bid document can only be downloaded at no cost – [www.kzndhs.gov.za](http://www.kzndhs.gov.za).
17. No bid document will be issued by the Department.
18. **Briefing session will be conducted, technical enquiries to be directed to MR. M. NHLOZI 033 392 6470 / [mduduzi.nhlozi@kzndhs.gov.za](mailto:mduduzi.nhlozi@kzndhs.gov.za)**

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**19. This bid is limited to tenderers who will meet the following pre-qualification criteria (in terms of Preferential Procurement Regulations, 2017):**

- (a) a bidder having a minimum B-BBEE status level 1
- (b) a bidder subcontracting a minimum of 30% to-
  - (i) an EME or QSE which is at least 51% owned by black people; or,
  - (ii) an EME or QSE which is at least 51% owned by black people who are youth; or,
  - (iii) an EME or QSE which is at least 51% owned by black people who are women; or,
  - (iv) an EME or QSE which is at least 51% owned by black people with disabilities; or,
  - (v) an EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships; or,
  - (vi) a cooperative which is at least 51% owned by black people; or,
  - (vii) an EME or QSE which is at least 51% owned by black people who are military veterans; or,
  - (viii) an EME or QSE.

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**SECTION D  
BIDDER'S DISCLOSURE**

**SBD 4**

**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**

2.3.1 If so, furnish particulars:

.....  
.....

---

<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.

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**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.
- 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

<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.

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**SECTION E  
OFFICIAL BRIEFING SESSION/SITE INSPECTION CERTIFICATE**

Site/Building/Institution Involved: **KWAZULU-NATAL DEPARTMENT OF HUMAN SETTLEMENTS**

Bid Reference No: ZNB 79/2021/22HSE

Goods/Service/Work: **APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE CONSTRUCTION OF TOP STRUCTURES USING ALTERNATIVE TECHNOLOGY FOR A PERIOD OF 36 MONTHS.**

\*\*\*\*\*

This is to certify that (bidder's representative name) \_\_\_\_\_

\_\_\_\_\_

On behalf of (company name) \_\_\_\_\_

\_\_\_\_\_

Attended the compulsory briefing session on 29 June 2022 and is therefore familiar with the circumstances and the scope of the service to be rendered.

\_\_\_\_\_  
**Signature of Bidder or Authorized Representative**  
(PRINT NAME)

**DATE:** \_\_\_/\_\_\_/\_\_\_\_\_

\_\_\_\_\_  
**Name of Departmental or Public Entity Representative**  
(PRINT NAME)

Departmental Stamp With Signature

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**SECTION E  
PRICING SCHEDULE – FIRM PRICES**

**SBD 3.1**

NAME OF BIDDER .....	BID NUMBER: ZNB79-2021-22HSE
CLOSING TIME 11:00am	CLOSING DATE: 20 JULY 2022

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

DESCRIPTION: APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE CONSTRUCTION OF TOP STRUCTURES USING ALTERNATIVE TECHNOLOGY FOR A PERIOD OF 36 MONTHS.

<b>SERVICES</b>	<b>PRICE IN TERMS OF</b>
APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE CONSTRUCTION OF TOP STRUCTURES USING ALTERNATIVE TECHNOLOGY FOR A PERIOD OF 36 MONTHS.	<b>Prevailing Subsidy Quantum</b>

- Required by **KZN DEPARTMENT OF HUMAN SETTLEMENTS**
- At: **KZN PROVINCE**
- Period required for delivery: **3 YEARS**
- The rates are firm for the full period of the contract.
- Price is per 2022 Prevailing Subsidy Quantum and the Department reserves the right to adjust the Subsidy Quantum as determined by National Department of Human Settlements from time to time.
- Bidders should together with their proposal submit their pricing structure

**SIGNATURE** .....

**DATE** .....

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**SECTION F** **SBD 6.1**  
**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017**

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

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

**1. GENERAL CONDITIONS**

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

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

1.2

a) The value of this bid is estimated to exceed R50 000 000 (all applicable taxes included) and therefore the **90/10** preference point system shall be applicable; or

1.3

Points for this bid shall be awarded for:

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

1.4

The maximum points for this bid are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	<b>90</b>
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	<b>10</b>
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5

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

1.6

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

**2. DEFINITIONS**

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

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

6.1 B-BBEE Status Level of Contributor: = (maximum of 10 or 20 points)  
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

**7. SUB-CONTRACTING**

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

*(Tick applicable box)*

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

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

*(Tick applicable box)*

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

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

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

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

[TICK APPLICABLE BOX]

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

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8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....  
.....  
.....

8.6 COMPANY CLASSIFICATION

[TICK APPLICABLE BOX]

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

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

WITNESSES

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....  
.....



**EME'S AND QSE'S MUST COMPLETE THE FOLLOWING APPLICABLE AFFIDAVIT FORM TO CLAIM PREFERENCE POINTS**

**SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE**

I, the undersigned,

<b>Full name &amp; Surname</b>	
<b>Identity number</b>	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

<b>Enterprise Name</b>	
<b>Trading Name (If Applicable):</b>	
<b>Registration Number</b>	
<b>Enterprise Physical Address:</b>	
<b>Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):</b>	
<b>Nature of Business:</b>	
<b>Definition of "Black People"</b>	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) who are citizens of the Republic of South Africa by birth or descent; or (b) who became citizens of the Republic of South Africa by naturalisationi- I. before 27 April 1994; or II. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"
<b>Definition of "Black Designated Groups"</b>	"Black Designated Groups means: (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas; (e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"

Initials \_\_\_\_\_

3. I hereby declare under Oath that:

- The Enterprise is \_\_\_\_\_% Black Owned as per Amended Code Series 100 of the amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as amended by Act No 46 of 2013,
- The Enterprise is \_\_\_\_\_% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is \_\_\_\_\_% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
  - Black Youth % = \_\_\_\_\_%
  - Black Disabled % = \_\_\_\_\_%
  - Black Unemployed % = \_\_\_\_\_%
  - Black People living in Rural areas % = \_\_\_\_\_%
  - Black Military Veterans % = \_\_\_\_\_%
- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of \_\_\_\_\_, the annual Total Revenue was R10,000,000.00 (Ten Million Rands) or less
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	<b>Level One</b> (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	<b>Level Two</b> (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	<b>Level Four</b> (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise, which I represent in this matter.

5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Stamp**

\_\_\_\_\_  
**Signature of Commissioner of Oaths**

Initials \_\_\_\_\_

**SWORN AFFIDAVIT – B-BBEE QUALIFYING SMALL ENTERPRISE**

I, the undersigned,

<b>Full name &amp; Surname</b>	
<b>Identity number</b>	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

<b>Enterprise Name</b>	
<b>Trading Name (If Applicable):</b>	
<b>Registration Number</b>	
<b>Enterprise Physical Address:</b>	
<b>Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):</b>	
<b>Nature of Business:</b>	
<b>Definition of “Black People”</b>	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 “Black People” is a generic term which means Africans, Coloureds and Indians – (c) who are citizens of the Republic of South Africa by birth or descent; or (d) who became citizens of the Republic of South Africa by naturalisationi- III. before 27 April 1994; or IV. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;”
<b>Definition of “Black Designated Groups”</b>	“Black Designated Groups means: (f) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (g) Black people who are youth as defined in the National Youth Commission Act of 1996; (h) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (i) Black people living in rural and under developed areas; (j) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;”

Initials \_\_\_\_\_

3. I hereby declare under Oath that:

- The Enterprise is \_\_\_\_\_% Black Owned as per Amended Code Series 100 of the amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as amended by Act No 46 of 2013,
- The Enterprise is \_\_\_\_\_% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is \_\_\_\_\_% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
  - Black Youth % = \_\_\_\_\_%
  - Black Disabled % = \_\_\_\_\_%
  - Black Unemployed % = \_\_\_\_\_%
  - Black People living in Rural areas % = \_\_\_\_\_%
  - Black Military Veterans % = \_\_\_\_\_%
- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of \_\_\_\_\_, the annual Total Revenue was between R10,000,000.00 (Ten Million Rands) and R50,000,000.00 (Fifty Million Rands),
- Please Confirm on the below table the B-BBEE Level Contributor, by ticking the applicable box.

100% Black Owned	<b>Level One</b> (135% B-BBEE procurement recognition level)	
At Least 51% black owned	<b>Level Two</b> (125% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise, which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_

**Stamp**

\_\_\_\_\_  
Signature of Commissioner of Oaths

Initials \_\_\_\_\_

**SECTION G**  
**REGISTRATION ON THE CENTRAL SUPPLIERS DATABASE**

1. 1 In terms of the KwaZulu-Natal Supply Chain Management Policy Framework, all suppliers of goods and services are required to register on the Central Suppliers Database.
2. If you wish to apply for Central Supplier Database (CSD) registration, suppliers may go to [www.csd.gov.za](http://www.csd.gov.za) to register or call 033 897 4223/4676/4509 for assistance.
3. If a business is registered on the Database and it is found subsequently that false or incorrect information has been supplied, then the Department may, without prejudice to any other legal rights or remedies it may;
  - 3.1 de-register the supplier from the Database,
  - 3.2 cancel a bid or a contract awarded to such supplier, and the supplier would become liable for any damages if a less favourable bid is accepted or less favourable arrangements are made.

**The same principles as set out in paragraph 3 above are applicable should the supplier fail to updates its information on the Central Suppliers Database, relating to changed particulars or circumstances.**

**CSD REGISTRATION: MAAA \_\_\_\_\_**

Initials \_\_\_\_\_

**SECTION H**  
**DECLARATION THAT INFORMATION ON CENTRAL SUPPLIERS DATABASE IS CORRECT AND UP TO DATE** (To be completed by bidder)

THIS IS TO CERTIFY THAT I (name of bidder/authorized representative)

....., WHO REPRESENTS (state name of

bidder).....

AM AWARE OF THE CONTENTS OF THE KWAZULU-NATAL SUPPLIER DATABASE WITH RESPECT TO THE BIDDER'S DETAILS AND REGISTRATION INFORMATION, AND THAT THE SAID INFORMATION IS CORRECT AND UP TO DATE AS ON THE DATE OF SUBMITTING THIS BID.

AND I AM AWARE THAT INCORRECT OR OUTDATED INFORMATION MAY BE A CAUSE FOR DISQUALIFICATION OF THIS BID FROM THE BIDDING PROCESS, AND/OR POSSIBLE CANCELLATION OF THE CONTRACT THAT MAY BE AWARDED ON THE BASIS OF THIS BID.

.....  
**SIGNATURE OF BIDDER OR AUTHORISED REPRESENTATIVE**

**DATE:** .....

Initials \_\_\_\_\_

**SECTION I  
AUTHORITY TO SIGN A BID**

**A. COMPANIES**

If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid

**AUTHORITY BY BOARD OF DIRECTORS**

By resolution passed by the Board of Directors on.....20.....,  
Mr/Mrs..... (whose signature  
appears below) has been duly authorised to sign all documents in connection with this bid on behalf of

(Name of Company)

.....

**IN HIS/HER CAPACITY AS:** .....

**SIGNED ON BEHALF OF COMPANY:** .....  
(PRINT NAME)

**SIGNATURE OF SIGNATORY:** ..... **DATE:** .....

**WITNESSES:** 1 .....

2 .....

**B. SOLE PROPRIETOR (ONE - PERSON BUSINESS)**

I, the undersigned..... hereby confirm that I am

the sole owner of the business trading as .....

.....

.....  
**SIGNATURE**

.....  
**DATE**

Initials \_\_\_\_\_

**C. PARTNERSHIP**

The following particulars in respect of every partner must be furnished and signed by every partner:

Full name of partner	Residential address	Signature
.....	.....	.....
.....	.....	.....
.....	.....	.....

We, the undersigned partners in the business trading as.....

hereby authorise .....to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract on behalf of

.....	.....	.....
<b>SIGNATURE</b>	<b>SIGNATURE</b>	<b>SIGNATURE</b>

.....	.....	.....
<b>DATE</b>	<b>DATE</b>	<b>DATE</b>

**D. CLOSE CORPORATION**

In the case of a close corporation submitting a bid, a certified copy of the Founding Statement of such corporation shall be included with the bid, together with the resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on ..... 20..... at.....

.....Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid

on behalf of (Name of Close Corporation) .....

**SIGNED ON BEHALF OF CLOSE CORPORATION:** .....  
(PRINT NAME)

**IN HIS/HER CAPACITY AS** ..... **DATE:** .....

**SIGNATURE OF SIGNATORY:** .....

**WITNESSES:** 1 .....

2 .....

Initials \_\_\_\_\_



**E. CO-OPERATIVE**

A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on ..... 20..... at .....

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of Co-operative)

.....

**SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:**

.....

**IN HIS/HER CAPACITY AS:** .....

**DATE:** .....

**SIGNED ON BEHALF OF CO-OPERATIVE:** .....

**NAME IN BLOCK LETTERS:** .....

**WITNESSES: 1** .....

**2** .....

Initials \_\_\_\_\_

**F. JOINT VENTURE**

If a bidder is a joint venture, a certified copy of the resolution/agreement passed/reached signed by the duly authorized representatives of the enterprises, authorizing the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the joint venture must be submitted with this bid, before the closing time and date of the bid.

**AUTHORITY TO SIGN ON BEHALF OF THE JOINT VENTURE**

By resolution/agreement passed/reached by the joint venture partners on.....20.....

Mr/Mrs.....Mr/Mrs.....

Mr/Mrs.....Mr/Mrs.....

(whose signatures appear below) have been duly authorized to sign all documents in connection with this bid on behalf of :

(Name of Joint Venture) .....

**IN HIS/HER CAPACITY AS** .....

**SIGNED ON BEHALF OF (COMPANY NAME)** .....  
**(PRINT NAME)**

**SIGNATURE** ..... **DATE** .....

-----  
**IN HIS/HER CAPACITY AS** .....

**SIGNED ON BEHALF OF (COMPANY NAME)** .....  
**(PRINT NAME)**

**SIGNATURE** ..... **DATE** .....

-----  
**IN HIS/HER CAPACITY AS** .....

**SIGNED ON BEHALF OF (COMPANY NAME)** .....  
**(PRINT NAME)**

**SIGNATURE** ..... **DATE** .....

-----  
**IN HIS/HER CAPACITY AS** .....

**SIGNED ON BEHALF OF (COMPANY NAME)** .....  
**(PRINT NAME)**

**SIGNATURE** ..... **DATE** .....

Initials \_\_\_\_\_

**G. CONSORTIUM**

If a bidder is a consortium, a certified copy of the resolution/agreement passed/reached signed by the duly authorized representatives of concerned enterprises, authorizing the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the consortium must be submitted with this bid, before the closing time and date of the bid.

**AUTHORITY TO SIGN ON BEHALF OF THE CONSORTIUM**

By resolution/agreement passed/reached by the consortium on .....20.....

Mr/Mrs .....  
(whose signature appear below) have been duly authorized to sign all documents in connection with this bid on behalf of :

(Name of Consortium).....

**IN HIS/HER CAPACITY AS** .....

**SIGNATURE** ..... **DATE** .....

Initials \_\_\_\_\_

**SECTION J  
CONDITIONS OF BID**

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to the KwaZulu-Natal Provincial Administration (hereinafter called the "Province") on the terms and conditions and be in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of and be incorporated into this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
  
2. I/we agree that:
  - (a) the offer herein shall remain binding upon me and open for acceptance by the Province during the validity period indicated and calculated from the closing time of the bid;
  - (b) this bid and its acceptance shall be subject to Treasury Regulations 16A issued in terms of the Public Finance Management Act, 1999, the National Treasury General Conditions of Contract and Standard Bidding Documents, the KwaZulu-Natal Supply Chain Management Policy Framework, the Provincial Treasury issued Practice Notes, and the KwaZulu-Natal Conditions of Contract, with which I/we am fully acquainted;
  - (c) if I/we withdraw my bid within the period for which I/we have agreed that the bid shall remain open for acceptance, or fail to fulfil the contract when called upon to do so, the Province may, without prejudice to its other rights, agree to the withdrawal of my bid or cancel the contract that may have been entered into between me and the Province. I/we will then pay to the Province any additional expenses incurred by the Province having either to accept any less favourable bid or, if fresh bids have to be invited, the additional expenditure incurred by the invitation of fresh bids and by the subsequent acceptance of any less favourable bid. The Province shall have the right to recover such additional expenditure by set-off against monies which may be due to me under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfilment of this or any other bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss the Province may sustain by reason of my default;
  - (d) if my bid is accepted, the acceptance may be communicated to me by registered post, and that the South African Post Office Limited shall be treated as delivery agent to me;
  - (e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my bid and I choose *domicilium citandi et executandi* in the Republic at (full physical address) :  
.....  
.....
  
3. I/we furthermore confirm that I/we have satisfied myself as to the correctness and validity of my bid: that the price(s), rate(s) and preference quoted cover all of the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
  
4. I/we hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement, as the Principal(s) liable for the due fulfilment of this contract.
  
5. I/we agree that any action arising from this contract may in all respects be instituted against me and I/we hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me as a result of such action.
  
6. I/we confirm that I/we have declared all and any interest that I or any persons related to my business has with regard to this bid or any related bids by completion of the Declaration of Interest Section.

Initials \_\_\_\_\_

**1. CERTIFICATION OF CORRECTNESS OF INFORMATION SUPPLIED IN THIS DOCUMENT**

I/WE, THE UNDERSIGNED, WHO WARRANT THAT I AM DULY AUTHORISED TO DO SO ON BEHALF OF THE BIDDER, CERTIFY THAT THE INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT IS CORRECT AND TRUE, THAT THE SIGNATORY TO THIS DOCUMENT IS DULY AUTHORISED AND ACKNOWLEDGE THAT:

- (1) The bidder will furnish documentary proof regarding any bidding issue to the satisfaction of the Province, if requested to do so.
- (2) If the information supplied is found to be incorrect and/or false then the Province, in addition to any remedies it may have, may:-
  - (a) Recover from the contractor all costs, losses or damages incurred or sustained by the Province as a result of the award of the contract, and/or
  - (b) Cancel the contract and claim any damages which the Province may suffer by having to make less favourable arrangements after such cancellation.

**SIGNED ON THIS ..... DAY OF ..... 20 ..... AT .....**

.....  
**SIGNATURE OF BIDDER OR DULY AUTHORIZED REPRESENTATIVE**                      **NAME IN BLOCK LETTERS**  
**ON BEHALF OF (BIDDER'S NAME)** .....  
**CAPACITY OF SIGNATORY** .....

**NAME OF CONTACT PERSON (IN BLOCK LETTERS, PLEASE)** .....

.....

**POSTAL ADDRESS** .....

.....

**TELEPHONE NUMBER:** .....

**FAX NUMBER:** .....

**CELLULAR PHONE NUMBER:** .....

**E-MAIL ADDRESS:** .....

Initials \_\_\_\_\_

**SECTION K**  
**DESCRIPTION OF SERVICES REQUIRED, SPECIFICATION AND SCOPE OF WORK**

**BIDDERS TO COMPLY STRICTLY WITH ALL FACETS OF THE SPECIFICATION, METHODOLOGY AND ADDITIONAL INFORMATION TO INDICATE OR EMPHASIZE CAPACITY TO UNDERTAKE THE REQUIRED SERVICE MUST BE FURNISHED.**

The KZN Department of Human Settlements hereby invites bids from suitably qualified and experienced service providers to be appointed on a Panel of Service Providers for The Construction of Top Structures Using Alternative Technology for A Period of 36 months.

<b>NO.</b>	<b>NAME OF PROJECT</b>	<b>BID NUMBER</b>
1.	<b>APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE CONSTRUCTION OF TOP STRUCTURES USING ALTERNATIVE TECHNOLOGY FOR A PERIOD OF 3 YEARS.</b>	ZNB79/2021/22HSE

The successful applicants will be required to enter into an Agreement with the Department of Human Settlements. The applicant must comply with legislative requirements.

**SCOPE OF WORK**

1. The service provider shall render professional services of construction of houses using alternative innovative building systems or building material as assigned by the Department.
2. The service provider must ensure that all municipal approvals are obtained prior to construction of houses.
3. The service provider must undertake process of enrolment of all houses with the National Home Builders and Regulation Council (NHBRC).
4. The service provider must undertake all statutory planning processes including land/legal processes prior to the construction of houses.
5. The Service Provider must ensure that the approved material is used to construct houses in programmes including:
  - a. Integrated residential Development Programme
  - b. Community Residential Units
  - c. Rural Housing Development Programme
  - d. Emergency Housing Programme
6. The Service Provider must attend to all meetings upon request by the Department and provide written monthly progress reports on implementation of assigned projects.
7. The service provider must undertake process of project closeout and provide closeout reports and any related documentation to the Department.

**TECHNICAL ENQUIRIES: MR MDUDUZI NHLOZI - 033 392 6470**

Initials \_\_\_\_\_

## **SECTION L SPECIAL CONDITIONS OF CONTRACT**

### **APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE CONSTRUCTION OF TOP STRUCTURES USING ALTERNATIVE TECHNOLOGY FOR A PERIOD OF 36 MONTHS.**

#### **CONDITIONS OF BID**

##### **1. INTRODUCTION**

This bid is invited and will be awarded and administered in terms of the following:

- 1.1 KwaZulu-Natal Supply Chain Management Policy Framework
- 1.2 Section 217 of the Constitution
- 1.3 The Preferential Procurement Regulation, 2017
- 1.4 Treasury SCM Instruction notes and guidelines
- 1.5 The General Conditions of Contract
- 1.6 The Departmental Panel Rules

##### **2. REQUIRED COMPULSORY INFORMATION**

2.1 The bidder shall ensure that all the required information is furnished; viz: -

- 2.1.1 Invitation to Bid SBD1 (**SECTION A**)
- 2.1.2 Declaration of good standing regarding Tax Clearance Certificate SBD 2 (**SECTION B**)
- 2.1.3 Bidder's Disclosure SBD4 (**SECTION D**)
- 2.1.4 Pricing Page-Firm Pricing SBD7.1 (**SECTION E**)
- 2.1.5 Registration on Central Suppliers Database (**SECTION G**)
- 2.1.6 Authority to sign a bid (**SECTION H**)
- 2.1.7 Conditions of bid (**SECTION I**)
- 2.1.8 Special Condition of Contract (**SECTION K**)
- 2.1.9 Must provide proof of registration with NHBRC
- 2.1.10 Must provide proof of registration with Agrema South Africa.

##### **2.2 DECLARATION OF BIDDER OF GOOD STANDING REGARDING TAX**

- 2.2.1 A valid Tax Clearance Certificate or a Tax Status Compliance PIN may be submitted at bidder's discretion with the bid before the closing date and time of the bid.
- 2.2.2 Each party to a Joint Venture/Consortium submitting a bid may submit an original and valid Tax Clearance Certificate or a Tax Status Compliance PIN with the bid before the closing date and time of the bid, at the bidder's discretion.

##### **3. SCOPE OF BID**

- 3.1 This bid is invited by the KwaZulu-Natal Department of Human Settlements and is open to all potential service providers who have the execution capacity and wish to participate in this bid which entails the **appointment of a panel of service providers for the construction of top structures using alternative technology for a period of 3 years.**
- 3.2 **This bid is limited to tenderers who will meet the following pre-qualification criteria (in terms of Preferential Procurement Regulations, 2017):**

Initials \_\_\_\_\_

- (a) a bidder having a minimum B-BBEE status level 1
- (b) a bidder subcontracting a minimum of 30% to-
  - (i) an EME or QSE which is at least 51% owned by black people; or,
  - (ii) an EME or QSE which is at least 51% owned by black people who are youth; or,
  - (iii) an EME or QSE which is at least 51% owned by black people who are women; or,
  - (iv) an EME or QSE which is at least 51% owned by black people with disabilities; or,
  - (v) an EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships; or,
  - (vi) a cooperative which is at least 51% owned by black people; or,
  - (vii) an EME or QSE which is at least 51% owned by black people who are military veterans; or,
  - (viii) an EME or QSE.
- 3.3 All suppliers submitting their bids must be registered with the Central Suppliers Database. Non-registration of a bidder at time of closing of the bid will render the bid invalid.
- 3.4 Each party to a Joint Venture/Consortium submitting a bid must be registered on the new Central Suppliers Database. Non-registration of any party to such a Joint Venture/Consortium on closing of the bid will render the bid invalid.
- 3.5 Joint Venture agreement should detail percentage to the project and must be signed by both parties.
- 3.6 A nominated bank account must be opened.
- 3.7 Each party to a Joint venture must complete SBD 4 (Bidder's Disclosure).
- 3.8 The Department reserves the right in accepting and awarding of the bid. The Department is not obliged to accept the lowest or any bid.
- 3.9 The service must be executed by the successful bidder to whom the bid is awarded.
- 3.10 The Department reserves the right to award the bid in totality or to contract multiple service providers to procure the required service.
- 3.11 Service providers to ensure full compliance with all aspects of the specifications.
- 3.12 The Department will not accept any price above the Prevailing Subsidy Quantum.
- 3.13 Bidders must attend the compulsory briefing session that will be conducted as follows: -

**DATE: 29 JUNE 2022**  
**TIME: 11H00**  
**VENUE: DEPARTMENT OF HEALTH, INKOSI ALBERT LUTHULI CENTRAL HOSPITAL**  
**VUSI MZIMELA ROAD, CATOR MANOR**

A person who is directly employed by the bidder and is suitably qualified and experienced to comprehend the implications of the work involved must represent the bidder at the briefing session.

PS. Bidders must ensure that **Section E** is endorsed by the Departmental Officials present at the briefing session confirming that the bidder has attended the said compulsory briefing session.

- 3.14 **No bid document will be issued by the Department.**
- 3.15 The closing date for receipt of bid is **20 July 2022 at 11h00**. The bids should be submitted in a sealed envelope marked "Bid – ZNB79/2021/22HSE", an electronic storage device containing only a scanned copy, in PDF format, of the bid shall be submitted together with the bid inside the sealed envelope. The bid box marked **Box No. 04** is located at the foyer area of the **Department of Human Settlements, 12<sup>th</sup> floor, 353-363 Dr. Pixley Ka Seme Street, Durban.**

#### 4. CONTRACT PERIOD

- 4.1. The contract period shall be 36 months.

Initials \_\_\_\_\_



- 4.2. The KwaZulu-Natal Department of Human Settlements reserves the right to terminate the contract with any service provider should the service provider fail to fulfill his/her contractual obligations in terms of this contract.
- 4.3. The KwaZulu-Natal Department of Human Settlements reserves the right to procure this service outside of the contract in cases where the supplier is unable to provide the said service due to circumstances beyond it or the Departments control.

## **5. VALIDITY PERIOD**

- 5.1. Bids must be valid for a period of 120 days from the closing date of the bid.
- 5.2. When it is necessary to request bidders to extend the validity period of their bid as a result of exceptional circumstances, the period of the extended validity will be determined and advised to bidders within the initial or any extended validity period.

## **6. UNSATISFACTORY PERFORMANCE**

- 6.1. Unsatisfactory performance occurs when performance is not in accordance with the contract conditions.
- 6.2. If the contractor does not perform satisfactorily, the Department will institute the relevant measures for cancellation of the contract.
- 6.3. The Department reserves the right to terminate the contract when the bidder has failed to meet the required standards.

## **7. APPEALS PROCEDURES**

- 7.1. Appeals must be lodged in terms of the appeals procedure applicable in terms of Practice Note No. 7 of 2006.
- 7.2. Appeals are to be directed to: The Secretariat, Bid Appeals Tribunal, Private Bag X9082, Pietermaritzburg, 3200, Tel no: 033-897 4462, Fax no: 033- 342 4238.

## **8. TAX CLEARANCE CERTIFICATE**

- 8.1. A valid Tax Clearance Certificate or a Tax Status Compliance PIN may be submitted at bidder's discretion with the bid before the closing date and time of the bid.
- 8.2. Each party to a Joint Venture/Consortium submitting a bid may submit an original and valid Tax Clearance Certificate or a Tax Status Compliance PIN with the bid before the closing date and time of the bid, at the bidder's discretion.

## **9. PREVIOUS EXPERIENCE**

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9.1. Each bid must be accompanied by the information and proof of the bidders past experience and capacity to execute the required service. Traceable references must be provided. Failure to submit adequate information for an assessment to be undertaken will invalidate the bid.

**10. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION**

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

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

**11. COMPLETENESS OF THE BID**

11.1. Bidders will only be considered if the bid document is correctly completed in all respects and accompanied by all relevant certificates and other necessary and applicable information.

**12. FUNCTIONALITY CRITERIA**

**12.1. DELIVERY CAPACITY CATERGORIES.**

The bidder’s delivery capacity category as envisage on the table below shall be determined by the score a bidder achieve on the Functionality (**STAGE 1**)

<b>There are Six(6) Delivery Capacity Categories:</b>							
<b>Category 1</b>			<b>Category 2</b>			<b>Category 3</b>	
1<50 Per Month	Per	Must Score at least 60 on functionality	51<100 Month	Per	Functionality score from 61-65	101<150 Per Month	Functionality score from 66-70
<b>Category 4</b>			<b>Category 5</b>			<b>Category 6</b>	
1. 151<200 Per Month	Per	Functionality score from 71-75	2. 201<250 Per Month	Per	Functionality score from 76-80	3. Above251< 300 Per Month	Functionality score above 80
<b>Delivery capacity must be clearly demonstrated by the bidders on their proposals. Depending on the performance of bidder during the contract period the Department reserve the right to lower the category, suspend, or remove the bidder from the panel.</b>							

**12.2. STAGE 1 – FUNCTIONALITY CRITERIA**

**IN ADDITION TO ALL REQUIREMENTS A COMPREHENSIVE COMPANY PROFILE MUST BE ATTACHED DETAILING ALL INFORMATION REQUIRED AS PER STAGE 1 OF FUNCTIONALITY CRITERIA, FOR THE**

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**PROGRESSION TO STAGE 2, SERVICE PROVIDERS MUST SCORE A MINIMUM OF 60% OF TOTAL POINTS AND PROFILE MUST HAVE TRACEABLE REFERENCES WITH A PROVEN TRACK RECORD. DOCUMENTARY PROOF OF COMPLETED CONTRACTS MUST BE ATTACHED**

<b>Key aspect of Eligibility</b>	<b>BASIS FOR POINT ALLOCATION</b>	<b>SCORE</b>	<b>MAX POINTS</b>
<b>METHODOLOGY</b>	<b>Define a clear methodology in the implementation of projects using alternative building technology:</b> <ul style="list-style-type: none"> <li>The Service Provider need to display a clear understanding of the alternative technology building system and/or materials in relation to the human settlement and affordable markets.</li> <li>Understanding of the project implementation process in the human settlement and affordable market.</li> <li>Display an understanding of the alternative building system and/or building material and has the required certification from the relevant accredited bodies for the system and/or material, NHBRC, NBR, Sans 10400 prescripts</li> <li>Highlight key risk areas with use of the product and has proposed methods of mitigating the identified risks.</li> </ul>	<b>Good</b>	<b>19-30</b>
	Acceptable (in terms of above)	<b>Fair</b>	<b>13-18</b>
	Lacks the appropriate level of experience (in terms of above).	<b>Poor</b>	<b>0-12</b>
<b>EXPERIENCE</b>	<b>RELEVANT EXPERIENCE</b> <b>Clearly Indicates relevant experience in terms of number of completed similar projects. Reference letters signed by respective institutions must be attached for each project completed.</b> <ul style="list-style-type: none"> <li>4 or more similar projects successfully completed - provide 4 and above reference letters (30 points)</li> <li>3 similar projects successfully completed – provide 2 to 4 reference letters (17-25 points)</li> </ul>	<b>Good</b>	<b>17-30</b>
	2 similar projects successfully completed – provide 2 letters	<b>Fair</b>	<b>9-16</b>
	<ul style="list-style-type: none"> <li>1 similar project successfully completed - provide 1 reference letter</li> <li>0 similar projects – No reference letter – 0 points</li> </ul>	<b>Poor</b>	<b>0-8</b>
<b><u>STAKEHOLDER S AND RESOURCES ORGANOGRAM</u></b>	<b>Stakeholders</b> Clearly indicate all relevant stakeholders in the implementation of successful alternative building technology (10 points)	<b>Good</b>	<b>13-20</b>
	<b>Resource Organogram</b> Detailed Organogram with curriculum vitae's detailing the duties and responsibilities of key personnel coupled with their experience (10 points)		
	Organogram / stakeholders is acceptable.	<b>Fair</b>	<b>7-12</b>
	Organogram / stakeholders Lacks appropriate, applicable and relevant skills and resources (in terms of above)	<b>Poor</b>	<b>0-6</b>
<b><u>FINANCIAL CAPACITY</u></b>	<ul style="list-style-type: none"> <li>Provide proof of financial capacity to satisfactorily execute the required service, such should include the following:</li> <li>Bank rating of the company indicating specific category.</li> </ul> Category A=20 points	<b>Good</b>	<b>20</b>
	Category B=12 points	<b>Fair</b>	<b>12</b>
	Category C=8 points	<b>Poor</b>	<b>8</b>

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<b>TOTAL</b>			<b>100</b>
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**11.3 STAGE 2 – 90/10 PREFERENCE POINTS SYSTEM**

The 90/10 Preference Points System will be utilized. In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

Initials \_\_\_\_\_