



KWAZULU-NATAL PROVINCE

HUMAN SETTLEMENTS
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF HUMAN SETTLEMENTS

REQUEST FOR PROPOSAL

**APPOINTMENT OF SERVICE PROVIDERS TO BE ON A PANEL OF
IMPLEMENTING AGENTS FOR THE KWAZULU NATAL DEPARTMENT
OF HUMAN SETTLEMENTS FOR A PERIOD OF 36 MONTHS.**

ZNB55/2019/20HSE

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 addition 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.: - COMPANIES: 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. PARTNERSHIP: Attach Agreement signed by every partner with partner's details as stipulated in the document. Also, provide authorized signatory details. CLOSE CORPORATION: 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 CO-OPERATIVE: 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 JOINT VENTURE: 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 CONSORTIUM: 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 NHBC.			

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**SECTION A
PART A - INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE KWAZULU-NATAL DEPARTMENT OF HUMAN SETTLEMENTS					
BID NUMBER:	ZNB55/2019/20HSE	CLOSING DATE:	18 JULY 2022	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF SERVICE PROVIDERS TO BE ON A PANEL OF IMPLEMENTING AGENTS FOR THE KWAZULU NATAL DEPARTMENT OF HUMAN SETTLEMENTS FOR A PERIOD OF 36 MONTHS.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM.					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN BID BOX NUMBER 03 SITUATED IN THE FOYER, 12 TH FLOOR, DEPARTMENT OF HUMAN SETTLEMENTS, EAGLE BUILDING, 353 – 363 DR PIXELY KASEME STREET, DURBAN, 4001					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	MS R. GAFOOR / J. MNQONDO / S. BIYASE / S. MKHIZE / V. MKHWANAZI		CONTACT PERSON	MR. M. YENGWA/ MR. J. FOLEY	
TELEPHONE NUMBER	031 336 5142/5166/5165/5241/5164		TELEPHONE NUMBER	033 845 2015/ 033 845 2030	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	razia.gafoor@kzndhs.gov.za jabulani.mnqondo@kzndhs.gov.za siphesihle.biyase@kzndhs.gov.za sizwe.mkhize@kzndhs.gov.za victor.mkhwanazi@kzndhs.gov.za		E-MAIL ADDRESS	john.foley@kzndhs.gov.za / mvuzo.yengwa@kzndhs.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
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]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
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.					

Initials _____

**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:

.....

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.
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.

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.
17. No bid document will be issued by the Department.
18. **Briefing Session Will Be Conducted, Technical Enquiries To Be Directed To Mr. M. Yengwa/ Mr. J. Foley, 033 845 2015/ 033 845 2030 or john.foley@kzndhs.gov.za / mvuzo.yengwa@kzndhs.gov.za**
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.

**SECTION D
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:

.....

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:

.....

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.

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 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

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.

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

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

Bid Reference No: ZNB 55/2019/20HSE

Goods/Service/Work: **APPOINTMENT OF SERVICE PROVIDERS TO BE ON A PANEL OF IMPLEMENTING AGENTS FOR THE KWAZULU NATAL DEPARTMENT OF HUMAN SETTLEMENTS 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 **27 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

Initials _____

**SECTION F
PRICING SCHEDULE – FIRM PRICES**

NAME OF BIDDER	BID NUMBER: ZNB55/2019/20HSE
CLOSING TIME 11:00am	CLOSING DATE: 18 JULY 2022

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

DESCRIPTION: **APPOINTMENT OF SERVICE PROVIDERS TO BE ON A PANEL OF IMPLEMENTING AGENTS FOR THE KWAZULU NATAL DEPARTMENT OF HUMAN SETTLEMENTS FOR A PERIOD OF 36 MONTHS.**

SERVICES	PRICING
APPOINTMENT OF SERVICE PROVIDERS TO BE ON A PANEL OF IMPLEMENTING AGENTS FOR THE KWAZULU NATAL DEPARTMENT OF HUMAN SETTLEMENTS FOR A PERIOD OF 36 MONTHS.	PROCUREMENT-BY-PROCUREMENT BASIS.

- Required by **KZN DEPARTMENT OF HUMAN SETTLEMENTS**
- At: **KZN PROVINCE**
- Period required for delivery: 36 months
- The rates are firm for the full period of the contract.

SIGNATURE

DATE

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:

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

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

1.6 The purchaser reserves the right to require 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);

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

3. POINTS AWARDED FOR PRICE

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

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

80/20 **or** **90/10**

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

- P_s = Points scored for price of bid under consideration
- P_t = Price of bid under consideration
- P_{min} = Price of lowest acceptable bid

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

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

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

5. BID DECLARATION

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

Initials _____

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	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are youth	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are women	<input type="checkbox"/>	<input type="checkbox"/>
Black people with disabilities	<input type="checkbox"/>	<input type="checkbox"/>
Black people living in rural or underdeveloped areas or townships	<input type="checkbox"/>	<input type="checkbox"/>
Cooperative owned by black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are military veterans	<input type="checkbox"/>	<input type="checkbox"/>
OR		
Any EME	<input type="checkbox"/>	<input type="checkbox"/>
Any QSE	<input type="checkbox"/>	<input type="checkbox"/>

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

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,

Full name & Surname	
Identity number	

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:

Enterprise Name	
Trading Name (If Applicable):	
Registration Number	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of "Black People"	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;"
Definition of "Black Designated Groups"	"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	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	Level Four (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,

Full name & Surname	
Identity number	

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:

Enterprise Name	
Trading Name (If Applicable):	
Registration Number	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of “Black People”	<p>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 –</p> <p>(c) who are citizens of the Republic of South Africa by birth or descent;</p> <p>or</p> <p>(d) who became citizens of the Republic of South Africa by naturalisationi-</p> <p>III. before 27 April 1994; or</p> <p>IV. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;”</p>
Definition of “Black Designated Groups”	<p>“Black Designated Groups means:</p> <p>(f) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</p> <p>(g) Black people who are youth as defined in the National Youth Commission Act of 1996;</p> <p>(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;</p> <p>(i) Black people living in rural and under developed areas;</p> <p>(j) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;”</p>

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	Level One (135% B-BBEE procurement recognition level)	
At Least 51% black owned	Level Two (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 H
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 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 _____

SECTION I
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:

**SECTION J
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

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 authoriseto 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

.....
SIGNATURE	SIGNATURE	SIGNATURE

.....
DATE	DATE	DATE

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

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

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**

SIGNATURE **DATE**

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 on20.....

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**

**SECTION K
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.

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:

SECTION L

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 for placement on the Departments Panel of Implementing Agents to undertake the implementation of housing projects within KwaZulu-Natal, to be utilized as and when required.

NO.	NAME OF PROJECT	BID NUMBER
1.	APPOINTMENT OF SERVICE PROVIDERS TO BE ON A PANEL OF IMPLEMENTING AGENTS FOR THE KWAZULU NATAL DEPARTMENT OF HUMAN SETTLEMENTS FOR A PERIOD OF 36 MONTHS.	ZNB55/2019/20HSE

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

BACKGROUND

The Department is responsible for the implementation of numerous Human Settlement interventions through a number of housing programmes and product typologies.

In an effort to stimulate housing, comply with legislative prescripts and provide additional capacity across KZN, the Department resolved to establish a panel of I/A's, with the necessary skills experience and resources to meet the identified requirements.

SCOPE OF WORK

Undertake all aspects of project implementation from inception to closeout, through the management and undertaking of the following key activities and outcomes.

1. **Project preparation:** Conceptualise and undertake the necessary activities to prove project viability, culminating in an application for the securing of subsidies and stage 1 funding.
2. **Stage 1 – Project Planning:** Undertake the necessary activities Planning studies and obtain all required approvals.
3. **Stage 2 – Servicing of Sites:** Undertake the necessary activities to achieve the servicing of sites, township establishment and opening the Township Register.
4. **Stage 3 & 4 – Conveyancing and Construction of Houses:** Undertake the necessary activities to achieve beneficiary approval, registration of individual title and construction of top structures.

5. **Closeout:** Formally collate all Admin, Legal, Financial and Technical Aspects, culminating in a comprehensive closeout report supporting a submission for MEC approval.

I/A's must display the following capacity:

1. Facilitation Skills
2. Capacity development and training expertise (participatory development)
3. Strong project management skills
4. Procurement skills (ability to negotiate, maximize resources)
5. Technical Expertise
6. Organisation development skills
7. Administrative and Financial Management experience / expertise
8. Understanding of health and safety prescripts relating to the construction industry.

Service Providers must comply with legislative policy requirements, be registered with the Central Suppliers Database. All professionals in the Professional Team should be registered with their respective Professional Councils.

TECHNICAL ENQUIRIES TO BE DIRECTED TO:

Mr. M. Yengwa – 033 845 2015 / Mr. J. O. Foley 033 845 2030

**SECTION M
SPECIAL CONDITIONS OF CONTRACT**

APPOINTMENT OF SERVICE PROVIDERS TO BE ON A PANEL OF IMPLEMENTING AGENTS FOR THE KWAZULU NATAL DEPARTMENT OF HUMAN SETTLEMENTS 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

2. REQUIRED COMPULSORY INFORMATION

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

- 2.1.1 Invitation to Bid Part A(**Section A**)
- 2.1.2 Declaration of good standing regarding Tax Clearance Certificate (**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 Proof of registration with the National Home Builders Registration Council (NHBRC).

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 Implementing Agents to undertake the implementation of housing projects within KwaZulu-Natal.**

3.2 **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.
- 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 Bidders must attend the compulsory briefing session that will be conducted as follows: -

DATE: 27 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.

- 3.13 **No bid document will be issued by the Department.**
- 3.14 The closing date for receipt of bid is **18 July 2022 at 11h00**. The bids should be submitted in a sealed envelope marked "Bid – ZNB55/2019/20HSE", 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. 03** is located at the foyer area of the **Department of Human Settlements, 12th floor, 353-363 Dr. Pixley Ka Seme Street, Durban.**

4. CONTRACT PERIOD

- 4.1. The contract period shall remain in force for a period of 36 months from the date of signing of SLA.
- 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

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

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

THE BID WILL BE EVALUATED IN TWO STAGES AS FOLLOWS:

12.1. STAGE 1 – FUNCTIONALITY CRITERIA

A COMPREHENSIVE COMPANY PROFILE MUST BE ATTACHED DETAILING ALL INFORMATION REQUIRED AS PER FUNCTIONALITY CRITERIA. THE PROFILE MUST HAVE TRACEABLE REFERENCES WITH A PROVEN TRACK RECORD. DOCUMENTARY PROOF OF COMPLETED PROJECTS MUST BE ATTACHED. IN CASES WHERE THERE ARE TEAMS, DETAILED CURRICULUM VITAE OF ALL KEY PERSONNEL IS REQUIRED. A MINIMUM OF 60% IS REQUIRED IN ORDER TO QUALIFY.

Key aspect of Eligibility	Basis for points allocation	Score	Points Allocation
Methodology	Define a clear and unambiguous strategy of executing the project in terms of generic development and DoHS prescripts and financial modelling throughout the entire stages of the project cycle. <ul style="list-style-type: none"> ▪ Indicate a clear understanding of sequential steps and roles of professionals from project inception through to close out. 10 Points ▪ Indicate a clear understanding of the staged milestones and key outcomes prior to moving to next stage. 10 Points Include accepted practices, compliance with relevant regulatory bodies, and applicable by-laws and requirements of the Municipalities. (Access to Bulk Services Town Planning, Building, Land Survey and other relevant land development processes/ compliance) 10 Points	Good	19-30
	Methodology is acceptable, Outlined 2 of the above points	Fair	

	Methodology lacks clarity and flow, only covered 1 of the above points Did not outline any of the above points- 0 Points	Poor	0-12
Relevant Experience	Experience is relevant and applicable to the construction industry and housing development in general. Good track record and traceable references. Demonstrates due competency in Human Settlement projects, and specifically of projects of a similar nature Provide Reference Letters <ul style="list-style-type: none"> ▪ 5 and above reference letters and 5 and above years of experience -30 Points 	Good	19-30
	- Acceptable Provided between 3-4 reference letters and has 4 years of experience	Fair	13-18
	Lacks appropriate level of experience- Provided 0-2 reference letters and has 2 to 3 years' experience <ul style="list-style-type: none"> - Has 1 year experience with 1 reference letter -0 Points 	Poor	0-12
Stakeholders and Resources Organogram	Stakeholders Clearly indicate all relevant stakeholders in the implementation of housing programme (5 points) Resource Organogram Detailed Organogram with curriculum vitae's detailing the duties and responsibilities of key personnel coupled with their experience (15 points)	Good	13-20
	Stakeholders and Resources Organogram is acceptable	Fair	9-12
	Lacks appropriate, applicable and relevant skills and resources (in terms of above)	Poor	0-8
Financial Capacity	<ul style="list-style-type: none"> • Provide proof of financial capacity to satisfactorily execute the required service, such should include the following: • Bank rating of the company indicating specific category. 	Good	20
	Category A=20 points		
	Category B=12 points	Fair	12
	Category C=8 points	Poor	8
TOTAL			100

11.2 STAGE 2 – 90/10 PREFERENCE POINTS SYSTEM

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

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

