



**PART A**  
**INVITATION TO BID/ REQUEST FOR QUOTATION (RFQ)**

|   |   |               |  |  |       |
|---|---|---------------|--|--|-------|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE KZN DEPARTMENT OF HUMAN SETTLEMENTS</b>  |   |               |  |  |       |
| QUOTATION NUMBER:   | Q125A/22  | CLOSING DATE: | 11/11/2022   | CLOSING TIME:  | 11H00 |
| DESCRIPTION   | Appointment of Service Provider to provide Indoor Plant Maintenance Services for a period of 36 months (01 December 2022 till 30 November 2025) |               |  |  |       |
| RFQ RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE QUOTATION BOX NUMBER: 05 IN THE LIFT FOYER OF THE TWELVETH FLOOR. SITUATED AT EAGLE BUILDING, OR EMAILED TO <a href="mailto:quotations@kzndhs.gov.za">quotations@kzndhs.gov.za</a> . CLARITY, ADVICE MAY BE DIRECTED TO THE FOLLOWING OFFICIALS OR THE BID ADVICE CENTRE ON THE 12 <sup>TH</sup> FLOOR, EAGLE BUILDING, 353-363 DR PIXELY KASEME STREET, DURBAN FROM 08H00 TO 15H00 BETWEEN MONDAY TO FRIDAY |   |               |  |  |       |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO  |   |               | TECHNICAL ENQUIRIES MAY BE DIRECTED TO:                                  |  |       |
| CONTACT PERSON  | Andile Nyakatha   |               | CONTACT PERSON   | Thandeka Ngwane  |       |
| TELEPHONE NUMBER  | 031 336 5330  |               | TELEPHONE NUMBER   | 031 319 5390   |       |
| FACSIMILE NUMBER  | N/A   |               | FACSIMILE NUMBER   | N/A  |       |
| E-MAIL ADDRESS  | <a href="mailto:Andile.Nyakatha@kzndhs.gov.za">Andile.Nyakatha@kzndhs.gov.za</a>  |               | E-MAIL ADDRESS   | <a href="mailto:Thandeka.Ngwane@kzndhs.gov.za">Thandeka.Ngwane@kzndhs.gov.za</a>                     |       |
| SIGNATURE OF COMPILER:  |   |               | DATE: 30/10/2022   |  |       |
| <b>SUPPLIER INFORMATION (PLEASE FILL IN BLANK COLUMNS) INFORMATION</b>  |   |               |  |  |       |
| NAME OF BIDDER  |   |               |  |  |       |
| POSTAL ADDRESS  |   |               |  |  |       |
| STREET ADDRESS  |   |               |  |  |       |
| TELEPHONE NUMBER  | CODE  |               | NUMBER   |  |       |
| CELLPHONE NUMBER  |   |               |  |  |       |
| FACSIMILE NUMBER  | CODE  |               | NUMBER   |  |       |
| E-MAIL ADDRESS  |   |               |  |  |       |
| VAT REGISTRATION NUMBER   |   |               |  |  |       |
| SUPPLIER COMPLIANCE STATUS  | TAX COMPLIANCE SYSTEM PIN:  |               | OR   | CENTRAL SUPPLIER DATABASE No:  | MAAA  |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE  | TICK APPLICABLE BOX<br><input type="checkbox"/> Yes <input type="checkbox"/> No   |               | B-BBEE STATUS LEVEL SWORN AFFIDAVIT                                      | TICK APPLICABLE BOX<br><input type="checkbox"/> Yes <input type="checkbox"/> No                      |       |
| <b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>   |   |               |  |  |       |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?   | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES ENCLOSE PROOF]  |               | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES, ANSWER THE QUESTIONNAIRE BELOW] |       |
| <b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>   |   |               |  |  |       |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?   |   |               |  | <input type="checkbox"/> YES <input type="checkbox"/> NO   |       |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA?   |   |               |  | <input type="checkbox"/> YES <input type="checkbox"/> NO   |       |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  |   |               |  | <input type="checkbox"/> YES <input type="checkbox"/> NO   |       |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?   |   |               |  | <input type="checkbox"/> YES <input type="checkbox"/> NO   |       |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?   |   |               |  | <input type="checkbox"/> YES <input type="checkbox"/> NO   |       |
| IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.   |   |               |  |  |       |



**PART B**  
**TERMS AND CONDITIONS FOR BIDDING**

**1. BID/ RFQ SUBMISSION:**

- 1.1. BIDS/RFQ MUST BE DELIVERED BY OR BEFORE THE STIPULATED CLOSING DATE AND 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/RFQ IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000, 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), IF APPLICABLE.
- 1.5. QUOTATION DOCUMENT (RFQ) MUST BE COMPLETED IN FULL WITH ACCURATE INFORMATION WHICH IS IN LINE WITH INFORMATION SUBMITTED TO CENTRAL SUPPLIERS DATABASE (CSD). ANY CONTRARY, FALSE AND INCORRECT INFORMATION IN SBD FORMS WILL DISQUALIFY THE BID. DECLARE ALL INFORMATION IN RESPECT OF COMPANIES YOU HAVE INTEREST ON AS PER SBD 4 PARAGRAPH 2 BIDDERS DECLARATION.
- 1.6. SERVICE PROVIDER TO ENSURE THAT CENTRAL SUPPLIERS DATABASE IS REGULARLY UPDATED IN ORDER TO BE DEEMED COMPLIANT IN RESPECT OF TAX COMPLIANT STATUS AND OTHER RETURNABLE DOCUMENTS. FAILING TO REGULARLY UPDATE THE SAME MAY RESULT IN YOUR QUOTATION BEING PASSED OVER.
- 1.7. PROOF OF ADDRESS MUST BE SUBMITTED WITH RFQ.

**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/RFQ 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/RFQ 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 sign must be submitted e.g. company resolution)

DATE: .....



**PART C  
 PRICING SCHEDULE – FIRM PRICING**

| ITEM  | DESCRIPTION OF GOODS/ SERVICES | QTY | UNIT PRICE | TOTAL PRICE EXCL. VAT |
|---|--------------------------------|-----|------------|-----------------------|
| Appointment of Service Provider to provide Indoor Plant Maintenance Services for a period of 36 months (01 December 2022 till 30 November 2025) |                                |     |            |                       |
| TOTAL PRICE EXCL.VAT  |                                |     |            |                       |
| <b>Mandatory Requirements:</b>  |                                |     |            |                       |
| *Items to be procured as the attached <b>Specification</b>  |                                |     |            |                       |
| *Detailed Pricing to be completed as required in the page 2 of Specification “Bid Price”  |                                |     |            |                       |

**THIS QUOTATION IS SUBJECT TO THE FOLLOWING**

- SERVICE PROVIDERS TO QUOTE ON TOTAL PRICE AND NOT UNIT PRICE  
 NOTE: ALL DELIVERY COSTS MUST BE INCLUDED IN THE BID PRICE, FOR DELIVERY AT THE PRESCRIBED DESTINATION
- ONLY QUOTATIONS THAT ARE R200 000.00 AND ABOVE WILL BE OPEN IN PUBLIC
- QUOTATIONS SHOULD BE VALID FOR A MINIMUM PERIOD OF 60 DAYS UNLESS OTHERWISE STIPULATED

**PLEASE CIRCLE THE CORRECT ANSWER**

- a) Validity of quotation 60 days unless otherwise stipulated .....
- b) Delivery period .....
- c) Are prices quoted firm? Yes/No
- d) Registration on CIDB? if applicable Yes/No  
 Registration Number.....  
 Registered on NHBRC? If applicable Yes/No  
 Registration Number.....
- e) Applicable ONLY to equipment and machinery Yes/No  
 (i) Whether spares carried in stock? Yes/No  
 (ii) Whether maintenance carried out if required? Yes/No  
 (iii) What is the period of guarantee? (COMPULSORY) .....
- (iv) Make and model.....
- f) Is offer strictly accordingly to specification? Yes/No  
 If no give variation.....
- g) Please NOTE: If you didn't hear from the Department within the period of 6 weeks, please consider your quote being unsuccessful.
- h) Any alteration on price must be initialed, if not the quote will not be considered.
- i) The use of correction fluid is prohibited.
- j) Please fill in the attached Declaration of Interest (SBD4) \*compulsory\*

**CONTACT PERSON OF SUPPLIER**

**COMPANY STAMP**

NAME: .....

SIGNATURE: .....

DATE: .....



## KWAZULU-NATAL PROVINCE

HUMAN SETTLEMENTS  
REPUBLIC OF SOUTH AFRICA

### DIRECTORATE:

Private Bag X54367, DURBAN, 4000

Eagle Building, 353-363 Dr Pixley kaSeme Street, Durban, 4001

Tel: 031 336 5225

General Administration and Auxiliary Services

Enquiries: Ms Thembeke Mkhize

### SPECIFICATION AND SCOPE OF WORK

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

#### **PROVISION OF PLANT MAINTENANCE SERVICES**

The Department of Human Settlements would like to enter into a contract with a company for a period of 36 months.

#### **TERMS OF REFERENCE**

##### **1. SCOPE OF WORK**

The work covered by this specification includes generally maintaining all departmental plants.

##### **2. EQUIPMENT AND CONSUMABLES**

**The contractor will provide all equipment and materials necessary for the execution of the contract at his or her own expense.**

##### **3. INDOOR PLANTS: EAGLE BUILDING**

| FLOORS       | QUANTITY  | LOCATION                                     |
|--------------|-----------|--|
| 7            | 2         | Passage                                      |
| 9            | 2         | Passage & Courtroom 1                        |
| 11           | 2         | 1103 & 1106                                  |
| 12           | 4         | 3 at Passage, 1204                           |
| 13           | 3         | 2 at 1301 & 1313                             |
| 14           | 5         | 1 by the lifts & 2 Passage, 1401 & 2 at 1435 |
| 15           | 2         | Passage & Boardroom                          |
| 16           | 3         | Passage, 1601 & 1607                         |
| 17           | 2         | Passage & 1715                               |
| 18           | 2         | 1804, 1818 & 2 at 1820                       |
| 19           | 5         | 2 Passage, 1908 & 2 at 1922                  |
| 20           | 1         | Passage                                      |
| 21           | 1         | 2107   |
| 22           | 3         | HOD's Office & 2 at Passage                  |
| <b>TOTAL</b> | <b>37</b> |  |

##### **4. DETAILS OF SERVICE**

- Water plants twice a month.
- Clean and trim plants twice a month.
- Replace lifeless plants.
- Use necessary chemicals to avoid pest and diseases.



## KWAZULU-NATAL PROVINCE

HUMAN SETTLEMENTS  
REPUBLIC OF SOUTH AFRICA

**BID PRICE: PLANT MAINTENANCE AT EAGLE BUILDING PERIOD OF CONTRACT IS 36 MONTHS**

**THE BIDDER MUST CLEARLY INDICATE THE MONTHLY COSTS BY SUBMITTING AN ANALYSIS OF THE COST STRUCTURE IN SOUTH AFRICAN CURRENCY AS APPENDED HEREUNDER:**

| DESCRIPTION                               | COST |
|---|------|
| 1. TOTAL COST PER MONTH VAT EXCL          |      |
| 2. TOTAL COST OF BID (36 MONTHS) VAT EXCL |      |

\_\_\_\_\_  
**SIGNATURE OF BIDDER**

\_\_\_\_\_  
**DATE**

### **SPECIFIC CONDITIONS OF CONTRACT**

1. The staff must be neatly attired and easily identifiable by use of **representable uniform**.
2. The contractor must make his/her own arrangements for the **transport** of his/her employees.
3. The contractor must ensure that his/her employee is **medically** fit to execute the duties.
4. in the event of the contractor for any reason terminating this agreement before the expiry date, **cancellation fee** equivalent to any or all additional costs which the department of human settlements may have in awarding this service to a suitable contractor will be payable by the contractor.
5. This agreement will **not be subject to any increase in costs** for the duration of the contract.
6. The **contractor shall be liable** for and indemnify the Department of Human Settlements in respect of any liability, loss, claim or proceedings whatsoever whether arising in common law or by statute in respect of personal injuries to or death of person whomsoever arising out of, or in the course of or caused by execution of contract.
7. The contractor shall comply with the requirements of **the Occupational Health and Safety Act 85 of 1993** when rendering services to the department and the contractor will be held responsible for any contraventions of the Act.
8. The Department reserves the right to **terminate the contract** should the service provider no longer accredited in the relevant **professional bodies**.
9. The Department reserves the right to **cancel contract if an error is noted** after an award of the contract.
10. The Department reserves the right to deduct **the monthly invoice** should the services not be rendered as per contract stipulations and specification. Payment will be made after the service has been rendered on a monthly basis.
11. No **verbal changes** or any adjustments to this agreement will be recognized.

\_\_\_\_\_  
**Conditions accepted by contractor**

\_\_\_\_\_  
**Date**

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

| Full Name | Identity Number | Name of State institution |
|-----------|-----------------|---------------------------|
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |

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

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<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

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

2.2.1 If so, furnish particulars:

.....  
.....

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

2.3.1 If so, furnish particulars:

.....  
.....

**3 DECLARATION**

I, \_\_\_\_\_ the \_\_\_\_\_ undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the 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

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<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

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

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

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



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

This preference form must form part of all bids/~~quotations~~ 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~~ **not exceed** R50 000 000 (all applicable taxes included) and therefore the 80/20 ~~.....~~ preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

|  | <b>POINTS</b> |
|--|---------------|
| <b>PRICE</b>   | <b>50</b>     |
| <b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>                | <b>50</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 of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

## 2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“price”** 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. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 4. POINTS AWARDED FOR PRICE

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

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

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

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

#### 4.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT

#### 4.3 POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:  
**80/20** or **90/10**

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

Where

- $P_s$  = Points scored for price of bid under consideration  
 $P_t$  = Price of bid under consideration  
 $P_{max}$  = Price of highest acceptable bid

## 5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 5.1 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                               |

## 6. BID DECLARATION

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

### 7. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 7.1 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.)

## 8. SUB-CONTRACTING

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

(Tick applicable box)

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

- 8.1.1 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 | NO |
|-----|----|

- 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<br>√ | QSE<br>√ |
|---|----------|----------|
| Black people  |          |          |
| Black people who are youth  |          |          |
| Black people who are women  |          |          |
| Black people with disabilities                                    |          |          |
| Black people living in rural or underdeveloped areas or townships |          |          |
| Cooperative owned by black people                                 |          |          |
| Black people who are military veterans                            |          |          |
| <b>OR</b>   |          |          |
| Any EME   |          |          |
| Any QSE   |          |          |

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

9.1 Name of company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

**9.4 TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

**9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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**9.6 COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

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

9.8 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 .....

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