

RFQ DESCRIPTION: REQUEST FOR QUOTATIONS FOR SPECIALIST SERVICES CONTRACTORS FOR DESLUDGING, EMPTYING AND CLEANING OF VIP TOILETS (ABLUTION BLOCKS)/ SEPTIC TANKS FOR SCHOOLS IN THE EASTERN CAPE PROVINCE	
RFQ NUMBER:	RFQ NO: 2022/07/206
PUBLISH DATE:	11 NOVEMBER 2022
VALIDITY PERIOD:	Offer to be valid for 120 days from the closing date of bid
CLOSING DATE:	22 NOVEMBER 2022
CLOSING TIME:	11:00
RFQ'S MUST BE HAND DELIVERED / COURIERED TO:	The Eastern Cape Department of Education Steve Tshwete Complex, Zone 6 Zwelitsha
CLUSTER NUMBER	12 – AMATHOLE EAST
LIST OF SCHOOLS	MTWAKU J SS EZIFLETINI J SS
ATTENTION:	<p>Bidders must ensure that bids are delivered in time to the correct address and deposited in the tender box which is located at the foyer in the main building of the Eastern Cape Department of Education herein referred to as the ECDoE, Head Office in Zwelitsha.</p> <p>If a bid is late, it shall not be accepted for consideration. The Eastern Cape Department of Education's tender box is accessible Monday to Friday, from 08h00 to 16h00. Bidders must advise their couriers of the instruction above to avoid misplacement or loss of bid responses.</p> <p>It is the onus of the bidder to ensure that the bid documents are delivered on time regardless of the mode of delivery.</p> <p>No bid documents will be considered after the closing time and the date of this bid which is indicated in previous row herein above.</p>
BIDDERS NAME:	

SBD 1 / PART 1

REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF SPECIALIST SERVICES CONTRACTOR FOR DESLUDGING, EMPTYING AND CLEANING OF VIP TOILET FACILITIES IN VARIOUS SCHOOLS WITHIN THE EASTERN CAPE PROVINCE

BID NUMBER:	RFQ NO: 2022/07/206
DESCRIPTION	REQUEST FOR QUOTATION: The Eastern Cape Department of Education calls for quotations for the appointment of capable and competent specialist services contractor who are registered on CIDB and have an active CIDB SO grading for desludging, emptying and cleaning of VIP toilet facilities/ septic tanks in various schools within the Eastern Cape Province. NOTE: Disbursements claimable from DoE District office or 400km return upper limit DPW rates to APPLY
COMPULSARY BRIEFING SESSION	There will be no briefing session
VALIDITY PERIOD	120 Days from the closing date
ADVERTISEMENT DATE	11 November 2022
CLOSING DATE	22 November 2022
CLOSING TIME	11H00
REQUEST FOR QUOTATIONS RESPONSE DOCUMENTS MUST BE HAND DELIVERED / COURIED TO	
RECEPTION AREA OF THE DEPARTMENT OF EDUCATION,	
STEVE VUKILE TSHWETE EDUCATION COMPLEX, ZONE 6,	
ZWELITSHA,	
5608	

MAKING A SUBMISSION	<p>Return all returnable documents to the employer after completing them in their entirety, by writing legibly in non-erasable ink.</p> <p>Incomplete Bids responses may be disqualified or evaluated solely on information contained in the Bid.</p> <p>The ECDoE may disregard any content in a Tender that is illegible and will be under no obligation whatsoever to seek clarification from the Bidder.</p> <p>No correction fluid must be used on the document</p>		
LATE SUBMISSION	<p>Bidders must ensure that bid responses are delivered in time to the correct address and deposited in the tender box which is located at the foyer in the main building of the ECDoE, Head Office in Zwelitsha. If a bid is late, it shall not be considered for evaluation in line with Sub-Paragraph 5.3 of the National Treasury Implementation of Supply Chain Management. The Eastern Cape Department of Education's tender box is accessible 8 hours a day from 08h00 to 16h30, 5 working days a week from Monday to Friday. Bidders must ensure that they sign the register at the main reception counter when delivering bids. Bidders must advise their couriers of the instruction above to avoid misplacement or loss of bid responses.</p>		
REQUEST FOR BID PROPOSAL PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON	Mr. S. TONISI	CONTACT PERSON	Mr. Q. MSIWA
TELEPHONE NUMBER	040 608 4280	TELEPHONE NUMBER	040 608 4280
E-MAIL ADDRESS	Sinethemba.Tonisi@ecdoe.gov.za	E-MAIL ADDRESS	Qiqile.Msiwa@ecdoe.gov.za
SUPPLIER INFORMATION			
NAME OF BIDDER			
COMPANY REGISTRATION NUMBER			

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] <input type="checkbox"/> Yes <input type="checkbox"/> NO		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED FOR INITIAL ADMINISTRATION SCREENING PROCESS & WILL NOT BE USED TO EVALUATE OR SCORE POINTS ON FUNCTIONALITY]				
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) YES <input type="checkbox"/> NO <input type="checkbox"/>				

DOES THE ENTITY HAVE A BRANCH IN THE RSA?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
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.		

SBD 1 / PART B

TERMS AND CONDITIONS FOR REQUEST FOR QUOTATIONS

1. BID SUBMISSION:
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE SUBMISSIONS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE REQUEST FOR BID PROPOSAL DOCUMENT.</p>
2. TAX COMPLIANCE REQUIREMENTS
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE RFQ.</p> <p>2.5 IN REQUEST FOR QUOTATIONS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER AND A JOINT VENTURE AGREEMENT CLEARLY INDICATING THE SHAREHOLDING.</p>

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 OR 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.....

DOCUMENT NAVIGATION

Number	Heading
Part 1- Notice and invitation to submit a Bid response document	
Part 2- Terms of Reference	
Part 3 - Submission procedures	
3.1	Submission data
Part 4 - Returnable documents	
4.1	List of returnable documents
4.2	Submission schedules

PART 2: TERMS OF REFERENCE

1. DEFINITIONS

The Department	Eastern Cape Department of Education.
Project Manager	means the Department of Education Official responsible for the overall management of the programme and ensures that the programme meets the standards set for the programme deliverables including objectives regarding performance and quality in accordance with the budget and schedule. The project manager assumes accountability for the project deliverables, cost and deliverables
Programme goals.	means several projects that are coordinated to achieve programme goals.
ECDOE	means Eastern Cape Department of Education.
SCM	means Supply Chain Management
VAT	means Value Added Tax
B-BBEE	means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
Co-operative	means a co-operative registered in terms of section 7 of the Cooperatives Act, 2005 (Act No. 14 of 2005);
Functionality	means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents;
Service Level Agreement (SLA)	is a contract between the Professional Service Providers and (ECDoE) that defines the level of service expected from both parties.
National Treasury	has the meaning assigned to it in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
Price	includes all applicable taxes less all unconditional discounts.
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;
Rand value	means the total estimated value of a contract in Rand, calculated at the time of the tender invitation;
Rural area means	(a) a sparsely populated area in which people farm or depend on natural resources, including villages and small towns that are dispersed through the area; or

(b) an area including a large settlement which depends on migratory labour and remittances and government social grants for survival, and may have a traditional land tenure system;

Stipulated minimum threshold means the minimum threshold stipulated in terms of regulation 8(1)(b);

The Act means the preferential procurement policy framework act, 2000: preferential

Township means an urban living area that any time from the late 19th century until 27 April 1994, was reserved for black people, including areas developed for historically disadvantaged individuals post 27 April 1994;

SME stands for **Small Medium Enterprise** and procurement regulations, 2017

SMME stands for **Small Medium Micro Enterprise**.

SMME are companies that are below R5 million turn over per annum, this is the standard for generic broad-based BEE scorecard purpose.

Built environment refers to the man-made structures, features and facilities viewed collectively as an environment in which people live and work.

Desludging Desludging is the process of removing both the scum and the sludge layers from your primary septic tank/ VIP toilets , usually with a vacuum honey sucker truck/ truck with tanks/ honey sucker trailer/ sewerage sucker trailer that comes along to essentially pump them out through the top access lid/ manhole cover.

People with disabilities has the meaning assigned to it in section 1 of the Employment Equity Act, 1998 (Act No. 55 of 1998);

Proof of B-BBEE status Level of contributor means-the B-BBEE status level certificate issued by an authorised body or person or a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice or any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act;

Broad-Based Black Economic Empowerment Act means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

Designated group means

- (b) Black designated groups
- (c) black people;
- (d) women;
- (e) people with disabilities; or
- (f) small enterprises, as defined in section 1 of the National Small Enterprise Act, 1996 (Act No. 102 of 1996);

Designated sector means a sector, sub-sector or industry or product designated in terms of regulation 8(1)(a);

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;

2. INTRODUCTION

The Eastern Cape Department of Education calls for quotations for the appointment of capable and competent specialist services contractor who have an active CIDB SO registration status for desludging, emptying and cleaning of VIP toilet facilities in various schools within the Eastern Cape Province.

3. BACKGROUND

The Department manages and operates a huge number of schools in the province that are not connected to municipal services due to absence of these basic services at the municipal/ward areas particularly in the semi-urban and rural areas.

Most of these schools have various types of pit-latrines that require regular desludging, emptying and cleaning

Whilst most of these schools have inappropriate structures and require urgent intervention, pressing their conditions are highly unhygienic since they are filled with sewage and other waste material in the Pit toilets

The contamination of water resources as it relates to discharge to water streams is a violation to the following legislations (laws):

Section 24 of the Constitution, which states that everyone has a right to an environment that is not harmful to their wellbeing.

Section 28 of National Environmental Management Act, which puts more emphasis on the duty of care and remediation of environmental damage.

The issues mentioned above have been raised on numerous occasions by the Human Rights Commission (HRC) to the Department and reiterated poignantly by the various school communities, municipalities, interest groups and members of the legislature in the different visits to schools.

PLEASE TAKE NOTE, only the capable and competent specialist services contractor who have an active CIDB SO registration status for desludging, emptying and cleaning of VIP toilet facilities/ septic tanks will be appointed for desludging in various schools within the Eastern Cape Province.

PURPOSE OF THIS REQUEST FOR QUOTATIONS

The Eastern Cape Department of Education calls for quotations for the appointment of capable and competent specialist services contractor who have an active CIDB SO registration status for desludging, emptying and cleaning of VIP toilet facilities in various schools within the Eastern Cape Province.

4. DURATION

The successful bidders may be appointed for the duration of the contract which will be stipulated per project upon appointment.

5. SUBMISSION OF MANDATORY REQUIREMENTS

Failure to adhere to any of these requirements will result in disqualification:

- a. Bid documents received after closing date and time will not be considered for evaluation in line with Sub-Paragraph 5.3 of the National Treasury Implementation of Supply Chain Management.

6. EVALUATION PROCESS

Bid responses will be evaluated in accordance with Method 2 (Price and Preference) of the standard conditions of tender contained in the CIDB Standard tender evaluation method.

The evaluation process will be in two (2) phases, namely: -

6.1 Phase 1: Initial administration screening process

- Administrative Compliance – Bidders must submit all Standard Bidding Documents (SBDs)%%

During the administrative compliance phase, potential service providers will be pre-screened to determine Central Supplier Database (CSD) registration and compliance with tax matters, submission of complete and duly signed Standard Bidding Documents (SBD Forms) and other requirements as indicated below:

Table 6.1.1

DISQUALIFYING CRITERIA

Document to be submitted	Requirement	Non-submission / non-compliance may result in disqualification	
NB: Active registration with CIDB for SO grading - Water supply and drainage for buildings (wet services, plumbing)	Active CIDB SO grading	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Central Supplier Database (CSD) Registration and Compliance Report or CSD Registration number	Bidders must register on Central Supplier Database System and submit the Report as confirmation of registration. The successful bidders will be expected to be registered and compliant on CSD at the date of evaluation of the RFQ. In the event that the supplier is not registered and compliant on CSD, this will result in disqualification	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Cluster Form of Offer	A completed and signed form of offer to be submitted	YES <input type="checkbox"/>	NO <input type="checkbox"/>
National Treasury database of restricted suppliers	Verify against the National Treasury Database of restricted suppliers	YES <input type="checkbox"/>	NO <input type="checkbox"/>

All bid responses will also be assessed for compliance with the administrative requirements of the evaluation criteria:

The Department reserves the right to reject quotations that are not submitted in the prescribed format or where the information presented is illegible or incomplete.

BIDDERS ARE REQUIRED TO ADHERE TO THE FOLLOWING REQUIREMENTS
Plant, machinery and equipment for the desludging of toilets/ septic tanks
Clear Desludging Implementation strategy
Human Resources and their responsibilities
Adherence to Quality control and Health and Safety
Approach compliant with relevant legislation on the disposal of the sludge
Promotion of Local Economic development

BIDDERS ARE REQUIRED TO ADHERE TO THE FOLLOWING REQUIREMENTS

The attention of the bidders is drawn to the requirements as tabulated below and ensure therefore that their desludging implementation strategy adheres to these requirements.

	REQUIREMENTS TO ADHERE TO
1	Entity’s experience and knowledge Experience and expertise in providing desludging, emptying and cleaning of VIP toilet facilities/ septic tanks.
2	Plant, machinery and equipment for the desludging of toilets/ septic tanks Availability of desludging plant/ machinery/ equipment to execute the project
3	Clear Desludging Implementation strategy Step by step methodology which the service provider has utilized in the past for desludging of toilets and water carting
4	Human resources and their responsibilities
	List and responsibilities of human resources required to implement the desludging of toilets
	Certified qualifications and experience of the project team that will be supporting the implementation
	Functions and responsibilities of the staff
	Staff organogram
	Competencies and experience of key staff
5	Adherence to Quality control and Health and Safety
	Understanding of Health and Safety issues
	Mitigation factors on Health and Safety issues regarding staff and the environment
	Plan on the disposal of the sludge
	Plan on the treatment water quality and mitigation of the pollution of the ground water
6	Approach compliant with relevant legislation on the disposal of the sludge
	Breaking and Emptying of the hardened sludge
	Treatment of the sludge and or disinfection
	Cleaning of the toilets after the emptying of the sludge
8	Promotion of Local Economic development
	Purchase of local materials
	Percentage subcontracted to SMMEs/ employment of local laborers

6.3 Phase 2: The department will evaluate the bidders on price and preference.

- a. Bidders will be evaluated strictly in accordance with the request for quotation evaluation criteria stipulated in the terms of reference
- b. The evaluation panel will evaluate all bid responses based on the information provided.
- c. The evaluation will be based on the criteria as set out in the terms of reference.

Price

The financial offer will be reduced to a comparative offer using the formulae and points will be allocated and recorded accordingly.

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

Where

P_s = Points scored for comparative price of tender or offer under consideration;

P_t = Comparative price of tender or offer under consideration; and

P_{min} = Comparative price of lowest acceptable tender or offer.

Preferences

The preferences provided for in the Preferencing Schedule was as follows: 80/20

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

PRICING INSTRUCTIONS GENERAL ASSUMPTIONS

Pricing Assumptions mean the criteria as set out below, read together with all Parts of this contract document, which it will be assumed in the contract that the bidder has taken into account when developing his prices.

1. The short descriptions given in the schedules below are brief descriptions used to identify the services and related cost items for which prices are required.
2. The bidder must price for services as detailed on the pricing schedule below.
3. For the purpose of the service or cost item, the following words shall have the meanings hereby assigned to them:

WORD	MEANING
Unit	The unit of measurement for each item of work.
Quantity	The number of units of work for each item.
Rate	The agreed payment per unit of measurement
Amount	The product of the quantity and the agreed rate for an item
Sum	An agreed lump sum payment amount for an item, the extent of which is described in the Scope of Work, but the quantity of work which is not measured in any units.

4. A rate, sum and/or price as applicable, is to be entered against each item in the schedules. An item against which no price is entered will be considered to be covered by the other prices or rates in the relevant Table of Quantities.

5. The rates, sums, and prices in the schedules are to be fully inclusive prices for the work described under the several items. Such prices and rates are to cover all costs and expenses that may be required in and for the execution of the work described in accordance with the provisions of the Scope of Work, and shall cover the cost of all general risks, liabilities, and obligations set forth or implied in the Contract Data, as well as overhead charges and profit.

6. Where quantities are given in the Table of Quantities, these are provisional and do not necessarily represent the actual amount of work to be done. The quantities of work accepted and certified for payment will be used for determining payments due and not the quantities given in the Table of Quantities. In respect of time-based services, the allocation of staff must be agreed with the employer before such services are rendered

7. ECDoE reserves the right to negotiate the proposed contract values with the successful Bidder due to any circumstances beyond their control, this could result in an increase or decrease of contract amount that will be agreed to by both parties.

MTWAKU J SS - PRICING SCHEDULE					
Item	Service / Activity	Unit/ Measurement	Quantity	Rate	Total Amount
1	Adherence and compliance to Occupational Health and Safety procedures				
1.1	Barricading of the toilet facilities	Per School	1		
2	Execution of the work (desludging)				
2.1	Chemical infusion etc. into the VIP pit toilet	Per Seat/ Cubicle	15		
2.2	Desludging of the toilet	Per Seat/ Cubicle	15		
2.3	Deep cleaning of the pit	Per Seat/ Cubicle	15		
3	NOTE: Disbursements claimable from DoE District office or 400km return upper limit DPW rates to APPLY				
3.1	Disbursements (travelling to school)	km	For example, 200km	For example R 4.18	R 836.00
3.2	Disbursements (travelling to school)	km			
	Estimated Total Desludging Amount (Excluding VAT)	Per School			
	VAT @ 15% (If applicable), attach proof				
	Estimated Total Desludging Amount (Including VAT)				
	NOTE: - HAPPY LETTERS TO BE SUBMITTED FOR EACH SCHOOL COMPLETED				

Please note on item 3.2 above: Under Quantity – specify the km to be travelled to the school

: Under Rate – specify the rate per km

: Under Total – estimated total = (quantity x rate)

EZIFLETINI J SS - PRICING SCHEDULE					
Item	Service / Activity	Unit/ Measurement	Quantity	Rate	Total Amount
1	Adherence and compliance to Occupational Health and Safety procedures				
1.1	Barricading of the toilet facilities	Per School	1		
2	Execution of the work (desludging)				
2.1	Chemical infusion etc. into the VIP pit toilet	Per Seat/ Cubicle	15		
2.2	Desludging of the toilet	Per Seat/ Cubicle	15		
2.3	Deep cleaning of the pit	Per Seat/ Cubicle	15		
3	NOTE: Disbursements claimable from DoE District office or 400km return upper limit DPW rates to APPLY				
3.1	Disbursements (travelling to school)	km	For example, 200km	For example R 4.18	R 836.00
3.2	Disbursements (travelling to school)	km			
	Estimated Total Desludging Amount (Excluding VAT)	Per School			
	VAT @ 15% (If applicable), attach proof				
	Estimated Total Desludging Amount (Including VAT)				
	NOTE: - HAPPY LETTERS TO BE SUBMITTED FOR EACH SCHOOL COMPLETED				

Please note on item 3.2 above: Under Quantity – specify the km to be travelled to the school

: Under Rate – specify the rate per km

: Under Total – estimated total = (quantity x rate)

CLUSTER 12 FORM OF OFFER AND ACCEPTANCE

Project title:	REQUEST FOR QUOTATIONS FOR SPECIALIST SERVICES CONTRACTORS FOR DESLUDGING, EMPTYING AND CLEANING OF VIP TOILETS (ABLUTION BLOCKS)/ SEPTIC TANKS FOR SCHOOLS IN THE EASTERN CAPE PROVINCE
Request for Quotation No:	RFQ NO: 2022/07/206

OFFER

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of:

REQUEST FOR QUOTATIONS FOR SPECIALIST SERVICES CONTRACTORS FOR DESLUDGING, EMPTYING AND CLEANING OF VIP TOILETS (ABLUTION BLOCKS)/ SEPTIC TANKS FOR SCHOOLS IN THE EASTERN CAPE PROVINCE

The Bidder, identified in the offer signature block, has examined the documents listed in the Request for Quotation data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of Request for Quotation.

By the representative of the Bidder, deemed to be duly authorized, signing this part of this form of offer and acceptance, the Bidder offers to perform all of the obligations and liabilities of the Professional Service Provider under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

THE OFFERED TOTAL OF THE PRICES OF ALL SCHOOLS INCLUSIVE OF VALUE ADDED TAX IS

.....

Rand (in words);

R(in figures)

This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the Bidder before the end of the period of validity stated in the Request for Quotation data, whereupon the Bidder becomes the party named as the Professional Service Provider in the conditions of contract identified in the contract data.

Signature(s)

Name(s)

Capacity

for the Bidder
 (Name and address of organization)

Name and signature of witness Date

PART 3: SUBMISSION PROCEDURES

PART 3.1 SUBMISSION DATA

The Standard Conditions for the calling of Bid responses as contained in Annexure D of the CIDB's Standard for Uniformity for Construction Procurement – August 2019, apply.

See the CIDB website (www.cidb.org.za).

The Standard Conditions for the bid response make several references to the Submission Data. The Submission Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions for the calling for Bid proposals.

Clause number	Condition with description
D.1	General
D.1.1	Actions
D1.1.1	ECDoE as the Employer and each respondent submitting a bid response shall comply with these conditions for calling for bid proposal. In their dealings with each other, they shall discharge their duties and obligations as set out in D.2 and D.3, timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anti-competitive practices.
D.1.1.2	<p>The employer and the bid respondent and all their employees involved in the submission process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Bid respondents shall declare any potential conflict of interest in their quotations. Employees and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict, and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.</p> <p><i>Note:</i></p> <ol style="list-style-type: none"> 1) <i>A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.</i> 2) <i>Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.</i>
D.1.1.3	The bid respondent shall not make a submission without having a firm intention and the capacity to proceed with the next stage of the procurement process.

D.1.2	<p>Supporting documents</p> <p>The documents issued by the employer for the purpose of obtaining quotations are listed in the submission data.</p>
D.1.3	<p>Interpretation</p>
D.1.3.1	<p>The submission data and additional requirements contained in the submission schedules that are included in the returnable documents are deemed to be part of these conditions for the calling for quotations.</p>
D.1.3.2	<p>For the purposes of these conditions for the calling for quotations, the following definitions apply:</p> <p>a) conflict of interest means any situation in which:</p> <ul style="list-style-type: none"> i) Someone in a position of trust has competing professional or personal interests which make it difficult to fulfil his or her duties impartially. ii) An individual or organisation is able to exploit a professional or official capacity in some way for their personal or corporate benefit. iii) Incompatibility or contradictory interests exist between an employee and the organisation which employs that employee. <p>b) Corrupt practice means the offering, giving, receiving, or soliciting of anything of value to influence the action of the employer or his staff or representatives in the tender process; and</p> <p>c) Fraudulent practice means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels</p>
D.1.4	<p>Communication and employer 'representative</p> <p>Each communication between the employer and a respondent shall be to or from the employer representative only, and in a form that can be readily read, copied and recorded. Communications shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a respondent.</p> <p>The name and contact details of the employers 'representative is stated in the submission data.</p>
D.1.5	<p>Confidentiality and copyright of documents</p> <p>Treat as confidential all matters arising in connection with the bid proposal. Use and copy the documents issued by the employer only for the purpose of preparing the submission in response to the invitation.</p>

D.1.6	<p>Alterations to documents</p> <p>Do not make any alterations or additions to the submission documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the respondent. All signatories to the submission shall initial all such alterations.</p>
D.2	<p>Respondent's obligations</p>
D.2.1	<p>Eligibility</p> <p>Submit quotations only if the bid respondent complies with the criteria stated in the submission data and the respondent, or any of his/her principals, is not under any restriction to do business with the employer.</p>
D.2.2	<p>Cost of submissions</p> <p>Accept that the employer will not compensate the respondent for any costs incurred in the preparation and delivery of a submission</p>
D.2.3	<p>Check documents</p> <p>Check the submission documents on receipt, including pages within them, and notify</p> <p>Email: Sinethemba.tonisi@ecdoe.gov.za</p> <p>Qiqile.msiwa@ecdoe.gov.za</p> <p>of any discrepancy, error or omission.</p> <p>The bid respondent must promptly notify the ECDoE in writing of such discrepancy, error, or omission. ECDoE will consider what corrective action is necessary (if any) and inform all Respondents on corrective action without attribution to the bid respondent who provided the written notice</p>
D.2.4	<p>Acknowledge addenda</p> <p>Acknowledge receipt of addenda to the submission documents, which the employer may issue, and if necessary, apply for an extension to the closing time stated in the submission data, in order to take the addenda into account.</p>
D.2.5	<p>Clarification meeting</p> <p>A clarification meeting for this bid proposal will not be held.</p>
D.2.6	<p>Seek clarification</p> <p>Request clarification of the submission documents, if necessary, by notifying the employer at least five working days before the closing time stated in the submission data.</p>

D.2.6.1	The Respondent must request clarification in writing.
D.2.7	Making a submission
D.2.7.1	Return all returnable documents to the employer after completing them in their entirety, in writing legibly in non-erasable ink. The completed bid responses must be deposited in the Tender Box, at the relevant ECDoE offices.
D.2.7.2	Seal the original the bid document state on the outside the employer's address and identification details stated in the submission data, as well as the respondent's name and contact address.
D.2.7.3	Accept that the employer shall not assume any responsibility for the misplacement or premature opening of the submission if the outer package is not sealed and marked as stated.
D.2.7.4	ECDoE will not accept telephonic, telegraphic, telex, facsimile or e-mailed submissions.
D.2.8	Information and data to be completed in all respects Accept that incomplete submissions or responses submitted in a different form or format than specified in this bid response, shall be regarded by the employer as nonresponsive.
D.2.9	Closing time Ensure that the employer receives the submissions at the address specified in the submission data not later than the closing time stated in the submission data. Proof of posting shall not be accepted as proof of delivery. The employer shall not accept submissions submitted by telegraph, telex, facsimile or e-mail, unless stated otherwise in the submission data. Accept that, if the employer extends the closing time stated in the submission data for any reason, the requirements of these conditions for RFQ apply equally to the extended deadline.
D.2.10	Clarification of submission Provide clarification of a submission, in writing, in response to a request to do so by the employer during the evaluation of submissions, within 24 hours of submission of such a request.
D.3	Employer's undertakings

<p>D.3.1</p>	<p>Respond to requests for clarification received in writing from the Respondent</p> <p>Respond to a request for clarification received up to seven working days before the submission closing time stated in the submission data.</p> <p>Notify all respondents who obtained copies of the quotations, if any, of those responses.</p>
<p>D.3.2</p>	<p>Issue Addenda</p> <p>If necessary, issue addenda that may amend or amplify the submission documents to each bid respondent during the period from the date of the calling for quotations until seven days before the closing time for submissions stated in the submission data.</p> <p>If, as a result, a bid respondent applies for an extension to the closing time stated in the submission data, the employer may grant such extension and, shall then notify all bid respondents who obtained a copy of the quotations.</p>
<p>D.3.3</p>	<p>Late submissions</p> <p>Late submissions will not be accepted.</p>
<p>D.3.4</p>	<p>Opening of submissions</p>
<p>D.3.4.1</p>	<p>Submissions will be recorded and will not be opened in public.</p>
<p>D3.4.2</p>	<p>Make available the names of the respondents that made submissions prior to the closing time for submissions to all interested persons upon request.</p>
<p>D.3.5</p>	<p>Non-disclosure</p> <p>Not disclose to respondents, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of submissions until after the Bid Adjudication Committee approved the evaluation results.</p>
<p>D.3.6</p>	<p>Grounds for rejection and disqualification</p> <p>Determine whether there has been any effort by a respondent to influence the processing of submissions and instantly disqualify a respondent if it is established that he engaged in corrupt or fraudulent practices.</p>
<p>D.3.7</p>	<p>Test for responsiveness</p>

	<p>Determine, on opening and before detailed evaluation, whether each submission received:</p> <ul style="list-style-type: none"> a) Meets the requirements of these conditions for the calling for quotations. b) Has all the substantive provisions properly and fully completed and signed, and c) Is responsive to the other requirements of the call for quotations.
D.3.8	<p>Non-responsive submissions</p> <p>Reject all non-responsive submissions.</p>
D.3.9	<p>Evaluation of responsive submissions</p>
D.3.9.1	<p>Evaluate submissions using evaluation criteria established in the submission data</p>
D.3.9.2	<p>Notify the respondents of the outcome of the evaluation process within two (2) weeks of the evaluation report being accepted by the employer</p>
D.3.10	<p>Provide written reasons for actions taken</p> <p>Provide upon request written reasons to respondents for any action that is taken in applying these conditions, but withhold information which is not in the public interest to be divulged, which is considered to prejudice the legitimate commercial interests of respondents or might prejudice fair competition between bid respondents.</p>

PART 4- RETURNABLE DOCUMENTS

Please adhere to the following instructions

1. Tick in the relevant block below, to confirm that the relevant document is included in the submission.
2. Ensure each document listed is completed and signed where applicable.
3. Use the prescribed sequence in attaching the annexes that complete the bid proposal:

4.1 LIST OF RETURNABLE SCHEDULES

PLEASE NOTE: ALL these documents should be completed in full and included in the submission.

Description	Yes	No	
Part 1 - Notice and invitation to submit an RFQ			
One original Bid document			
Cover Page - Summary of respondents' information			
Part 2 - Terms of reference			
Part 3 - Submission procedures			
3.1 Submission data			
Part 4 - Returnable documents			
Annexure A	Valid Tax Clearance Certificate Requirement		
Annexure B	Compulsory Enterprise questionnaire		
Annexure C	SDB 4 – Bidder's Disclaimer		
Annexure D	SBD 6.1 Preference Points Claim Form		
Annexure E	Certified copy of B-BBEE status level certificate		

Annexure F	Certified copies of CIPC company registration documents listing all members with percentages, in case of a close corporation		
Annexure G	Certificate of Authority for Joint Ventures		
Annexure H	Letter of Good Standing from the Compensation Fund		
Annexure I	CSD Registration Summary Report		
Submission Schedule	Nominated Project Manager's Details and CV		
Submission Schedule	Service Category (Field of Expertise) and Location of Nominated Project Manager		

Please Note:

The Respondent must submit these schedules as per the prescribed sequence and format outlined in this Bid document.

The Submission Schedules is required for evaluation and/or compliance purposes.

4.2 SUBMISSION SCHEDULES

Annexure A: Valid Tax Clearance Certificate Requirement

Please Note:

The valid Tax Clearance Certificate or Application for a Tax Clearance Certificate (TCC 001) must be inserted in this section and submitted as Annexure A.

Annexure B: Compulsory Enterprise questionnaire

<p>The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.</p>														
<p>Section 1: Name of enterprise:</p> <p>.....</p>														
<p>Section 2: VAT registration number, if any:</p> <p>.....</p>														
<p>Section 3: CIDB registration number, if any:</p> <p>.....</p>														
<p>Section 4: Particulars of sole proprietors and partners in partnerships</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 33%;">Name*</th> <th style="width: 33%;">Identity number*</th> <th style="width: 33%;">Personal income tax number*</th> </tr> </thead> <tbody> <tr> <td style="height: 30px;"> </td> <td> </td> <td> </td> </tr> <tr> <td style="height: 30px;"> </td> <td> </td> <td> </td> </tr> <tr> <td style="height: 30px;"> </td> <td> </td> <td> </td> </tr> </tbody> </table>			Name*	Identity number*	Personal income tax number*									
Name*	Identity number*	Personal income tax number*												
<p>* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners</p>														
<p>Section 5: Particulars of companies and close corporations</p> <p>Company registration number</p> <p>Close corporation number</p> <p>Tax reference number</p>														
<p>Section 6: The attached SBD4 must be completed for each submission and attached as Annexure SBD4 as a returnable document.</p>														

Section 7: The attached SBD 6 must be completed for each tender and be attached as Annexure SBD 6 as a returnable document.

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:

- a) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- b) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- c) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption.
- d) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- e) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct

Signed

Date

.....

Name

Position

.....

Enterprise
name

.....

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.

2.2 Do
or

Full Name	Identity Number	Name of State institution

you,
any

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.

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:

.....
.....

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

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.

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

SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

- a) The value of this bid is estimated to 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:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
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 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) **“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:

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

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:

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: . = 20 (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 If yes, indicate:

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

(Tick applicable box)

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

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT _____ registration
number:.....

8.3 Company _____ registration
number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium

- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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
- (e) side) rule has been applied; and
- (f) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

SBD 6.2:

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp at no cost.

1.6 A bid may be disqualified if –

(a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and

(b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

2.1. **“bid”** includes written price quotations, advertised competitive bids or proposals;

2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);

2.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;

2.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;

2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).

2.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the

supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour or intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;

2.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;

2.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and

2.9. **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.

3. **The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
Steel products and components	100%
PVC pipes and components	100%
Valves	100%

4. Does any portion of the services, works or goods offered have any imported content?

(Tick applicable box)

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

4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za.

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?

(Tick applicable box)

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

5.1. If yes, provide the following particulars:

- (a) Full name of auditor:
- (b) Practice number:.....
- (c) Telephone and cell number:.....
- (d) Email address:.....

(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)

1. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION

(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):
.....

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrialdevelopment/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),

do hereby declare, in my capacity as

of(name of bidder entity), the following:

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that:

- (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (ii) the declaration templates have been audited and certified to be correct.

(c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

Annexure F: Certified copies of CIPC company registration documents listing all members with percentages, in case of a close corporation

Please Note:

Respondents are required to include CERTIFIED copies of all relevant CIPC registration documents. Each member with percentages, in the case of a close corporation must be listed.

Annexure H: Certificate of Authority for Joint Ventures

This document is to be prepared and submitted by the Respondent in the event of a Joint Venture submission.

This Returnable Schedule is to be completed Enterprises whom submit a bid response as joint ventures.

We, the undersigned, are submitting this bid response in Joint Venture and hereby authorise Mr/Ms , authorised signatory of the company , acting in the capacity of lead partner, to sign all documents in connection with submission on our behalf.

Name of Enterprise	Address	Duly authorised signatory
Lead partner 		Signature. Name Designation.....
Lead partner 		Signature. Name Designation.....
Lead partner		Signature. Name

.....		Designation.....
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Annexure I: Letter of Good Standing from the Compensation Fund

Please Note:

A letter from the Compensation Fund or licenced accredited body, confirming good standing with the Fund must be inserted in this section and submitted as Annexure K.

Annexure J: CSD Registration Summary Report

Please Note:

Attach Project Manager's Details and CV with qualifications

Please Note:

1. The Nominated Project Manager must complete the CV template below.

1. CV Details of Nominated Human Resource

Project Managers first names	
Project Managers surname	
Project Managers date of birth (yyyy-mm-dd, e.g. 1985-03-04)	

Project Managers Nationality	
Project Managers ID number or Passport number (Only Non-residents)	
Name of respondent (Enterprise / Consortium or JV)	
Full time employee	Part time employee
Years at Enterprise	

1.1. Education and/or Qualifications

Institution	From date (yyyy-mm-dd)	To Date (yyyy-mm-dd)	Qualification obtained

1.2. Other Skills (e.g. computer literacy, etc.)

1.3. Pen Portrait

Describe below, significant highlights of your professional experience and achievements.

1.4. Project 1 - Experience (Current or latest Project)

Name of Entity:			
Description of Contract:			
Value of Contract R			
Start date of contract (Month and year)		End date of contract (Month and year)	

1.5. Project 2 - Experience (Project within past 5 years)

Name of Entity:			
Description of Contract:			
Value of Contract R			
Start date of contract (Month and year)		End date of contract (Month and year)	

1.6. Complete Contact Details of References for Each of the above Projects

Full Name	Position	Company/ Organisation	Telephone no. (Include country and area code)	Cell Phone no. (Include country code)

1.7. Area of Specialisation

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1.8. Other Relevant Information

1.9. Declaration by the Project Manager in this CV

<p>I declare that the above information is accurate and can be supported by documents and references on request. I also declare that I will be available to work on projects should this Entity, Consortium or JV be appointed.</p>		
Name	Signature	Date