

REQUEST FOR APPLICATIONS AND NOTICE OF INTENTION (14 DAYS ADVERT)

Applications are hereby invited from Service providers to render the following services:

APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO RENDER CATERING SERVICES FOR A PERIOD 12 MONTHS IN INKOMATI-USUTHU CATCHMENT MANAGEMENT AREA FOR THE INKOMATI-USUTHU CATCHMENT MANAGEMENT AGENCY (IUCMA).

Proposals and fully completed application documents and other supporting documents required must hand delivered at IUCMA offices Mbombela and satellite offices located in Piet Retief and Bushbuckridge on or before the closing date and time (see addresses below).

Documents are obtainable at the IUCMA offices and the IUCMA Official website www.iucma.co.za

Only EME's or QSE's which are at least 51% owned by black people may apply.

Objective criteria to be applied will be preference to companies owned by women and youth.

Closing date: 07 July 2017 at 16:00

NB: There will be no briefing session. Please note that late applications, facemail, and e-mail will not be accepted and considered.

For any further details or enquiries please contact the persons below:

Supply Chain Management Enquiries: MS Thandi Sebake, Tel: 013 753 9000/9041, e-mail: sebaket@iucma.co.za

Technical Enquiries: Ms Bernice Mkhabela, Tel: 013 753 9000/9041, e-mail: mkhabelab@iucma.co.za

Inkomati-Usuthu Catchment Management Agency, Private Bag X11214, Mbombela, 1200

Physical Address:

Mbombela: Suite 801, 8th floor, The MAXSA Building, 13 Streak Street, Mbombela, 1200

Piet Retief: 32A Joubert Street, Piet Retief, 1280

Bushbuckridge: Suite 4, Bushbuckridge Shopping Complex, 1280





INKOMATI-USUTHU CATCHMENT MANAGEMENT AGENCY
Suite 801, MAXSA Building, Streak Street, Mbombela, 1200
Private Bag X 11214, NELSPRUIT 1200

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE IN RESPECT OF CATERING SERVICES FOR INKOMATI-USUTHU CATCHMENT MANAGEMENT AGENCY FOR A PERIOD OF 12 MONTHS

1. Appointment of a Service Provider

The Inkomati-Usuthu Catchment Management Agency (IUCMA) is soliciting Service Provider/s to enter into an agreement for services in respect of Catering. The agreement will be for a base on (12) twelve months from the date of award.

Pre-qualifying Criteria

Only EME which is at least 51% owned by black people may bid.

2. Background to Inkomati- Usuthu Catchment Management Agency

The IUCMA is a corporate body established in terms of section 78 (1) of the National Water Act, No 36 of 1998, as amended. The IUCMA is a schedule 3A public entity and is required as such to manage its resources in a manner that complies with the Public Finance Management Act, 1999 and National Treasury Regulation, 2005 (NTR) as amended.

3. Overview of Requirements

- Provide freshly prepared, tasty and well-presented food and beverages,
- Provide a full collection of equipment including cutlery, crockery, glasses, table dressing, chafing dishes with warmers;
- Cater Vegetarian, Halaal and Diabetic friendly meals where requested;
- Have a well and neatly dressed person/s stationed on the day of catering;
- Provide sufficient serving points and sufficient labor for fifty (50) plus + people on the day of catering;
- Maintain the highest level of professionalism always.

Specification

Lunch

Item	Description	Price Per plate including VAT (if applicable)
1	Pap Rice Chicken Beef Stew Gravy 1 Vegetable 2 Salad- Green and Beetroot (Serving plates, cutlery and serviettes) Mixed Cans of drinks 330ml with straws (no alcohol) 330ml of Bottled water	R130.00
5	Transport (AA rate)	Current rate

Breakfast menu

Item	Description	PRICE
1	Ceylon & Rooibos Coffee Fresh Milk Sugar 100% diluted juice Scones or muffins Sandwiches (Serving plates, cups, cutlery and serviettes)	R 70.00

Lunch packs

Item	Description	Price
1	Medium Chicken burger Medium Beef burger Small chips 1 fruit 330ml assorted Can 46mg Bar one or lunch bar (Regular size) Packaging	R 120.00

4. CRITICAL DELIVERABLES

- Delivery of equipment and preparing of food must be completed at least 15 minutes before food is served.
- The serving station must be ready at least two hours before serving.
- Clear up within one hour after the consumption of catered meals.

5. VALIDITY OF PROPOSALS

Proposals are valid for 90 days (3 months).

6. APPOINTMENT, COMMENCEMENT AND DURATION.

The successful bidders will be appointed on rotational basis for a period of twelve (12) months effective from the date of signing the contract. The contract will be reviewed regularly.

7. MANDATORY REQUIREMENTS

- Company profile indicating experience and Catering equipment's
- Standard Bidding Documents 1,4, 8, 9, 6.1 and 6.2
- Site visits will be performed for shortlisted caterers, including food tastings from sample menu provided.
- Health certificate from local municipality.

8. CRITERIA FOR EVALUATION

This bid shall be evaluated on functionality only. Price is given on fixed rate, transport cost as per AA rates per kilometre travelled.

Objective criteria in terms of section 2(1)(f) of the PPPFA NO. 5 OF 2000

Preference will be given to companies owned by women and youth.

Evaluation of Functionality

- The evaluation of functionality will be evaluated individually by members of the Bid Evaluation Committee in accordance with the functionality criteria below and applicable values that will be utilized when scoring each criteria ranges from **1 poor, 2 fair, 3 good, 4 very good, 5 excellent.**

CRITERIA	WEIGHT
Experience and contactable reference of the service provider in providing catering services 5 Excellent – at least five or more positive similar references 4 Good- at least 3 or 4 positive similar references 3 Fair – at least 2 references	20

Compliance in terms of resource requirements 5 Excellent- 100 % compliance with all the requirements 4 Good – 70% compliance with most of the requirements 2 Fair – 50% compliance with some of the requirements	30
Health certificate compliance (attach copy)	20
Presentation and food tasting 5 excellent – provided freshly prepared, tasty and well-presented food. 3 Good – Provided good food 1 Poor – Provided bad or not well prepared food	30
TOTAL	100

Bids that fail to achieve a minimum of 50 points out of 100 points for functionality will be disqualified.

B-BBEE Status level of Contributor	Number of Points (80/20 system)
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non –compliant contributor	0

- Bidders who are non-complaint contributors to B-BBEE do not qualify for preference points for B-BBEE.

9. SUBMISSION OF PROPOSALS

One (1) Original Copy of proposal need to be hand delivered to the following address clearly marked the bid name and number before the closing date and time:

Physical Address:

Nelspruit: Inkomati-Usuthu Catchment Management Agency
Suite 801, MAXSA Building, Streak Street, Mbombela, 1200.


Piet Retief Office: 32A Joubert Street. Piet Retief, 2380

Bushbuckridge Office: Suit 4 Bushbuckridge shopping complex, 1280

Contact Person/s

Technical Enquiries	SCM Enquiries
Ms. Bernice Mkhabela Tel: 013 753 9052 E-mail: mkhabelab@iucma.co.za Fax: 013 753 2786	Ms. Thandi Sebake Tel: 013 753 9041 E-mail : sebaket@iucma.co.za Fax: 013 7532786

Compiled by



Mr. Hasani Makhubele
BID SPECIFICATION CHAIRPERSON
Date: 22/05/2017

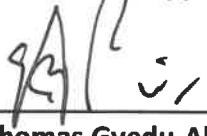
Recommended/~~not recommended~~



Ms. Thebele Mbatia
EXECUTIVE CORPORATE SERVICES
Date: 20/5/2017

It is hereby recommended that the Chief Executive Officer accepts and approves the terms of reference (TOR) for the appointment of service provider to render the service of Catering service for the period of (12) twelve months.

Approved / ~~Not Approved~~



Dr. Thomas Gyedu-Ababio
CHIEF EXECUTIVE OFFICER
Date: 24/5/2017



APPLICATION

TO TAKE PART AS A PANEL OF SERVICE PROVIDER FOR CATERING SERVICES

APPROVAL (for office use only)

Contract reference: _____

Supplier number: _____





BUSINESS DETAILS			
Registered Company Name:			
Contact Name:			
Physical address:			
Central Supplier Database (CSD) No:			
Service Capacity (maximum number of people company can service e.g. 60PPL)		Cell Phone No:	
Email: (Compulsory)		Telephone No:	
OTHER INFORMATION			
Acceptance of Price including VAT LUNCH R 130.00	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
BREAK FAST R 70.00	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
LUNCH PACKS R 120.00	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
TRANSPORT (AA Rate)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

PLEASE SELECT THE SUB-CATCHMENT THAT YOU OPERATE IN (MANDATORY FIELD).

NB: MINIMUM OF 3 AND MAXIMUM OF 6 SUPPLIERS WILL BE SELECTED FOR EACH SUB-CATCHMENT FOR CATERING CONTRACT.

Sabie-Sand sub-catchment	Crocodile sub-catchment	Upper and Lower Komati sub-catchment
Bushbuckridge Local Municipality	Mbombela Local Municipality	Albert Luthuli Local Municipality
Thaba Chweu Local Municipality	Emakhazeni Local Municipality	Nkomazi Local Municipality
	Umjindi Local Municipality	



TERMS OF APPLICATION

1. Incomplete, false or misrepresented information may result in the unsuccessful accreditation of this application.
2. Procurement or contracts awarded by IUCMA based on false, fraudulent and misrepresented information of the service provider or supplier may lead to the Enterprise, its shareholders and directors being restricted from obtaining business from any entity of the Government in terms of the Preferential Procurement Regulations of 2017.
3. IUCMA reserves the right to verify any of the representations made in this application form on the relevant platforms.
4. Additional information can be requested by IUCMA during its evaluation and accreditation process.
5. IUCMA adopts a Zero Tolerance Policy on fraudulent and corrupt practices, investigating reported case and followed up by the application of all remedies available to the Fund within the full extent of the law.
6. Listing on the Panel of service providers does not guarantee service, but rather an opportunity to be appointed when the need arises at IUCMA.

DECLARATION

I, the undersigned, hereby certify that the information, representations and documents attached to this application is true and correct at the time of completion, and that I am duly authorized to furnish this application on behalf of the Enterprise:

Signature:		Date:
Full names:		

PLEASE ENCLOSE THE FOLLOWING DOCUMENTS WITH YOUR APPLICATION

		Tick
1.	Company / CC Registration documents	
2.	Company Profile / Corporate Brochure	
3.	B-BBEE Status Level of contribution Certificate issued by SANAS accredited verification agency or registered Auditor approved by IRBA.	
4.	Health Certificates from local municipality	
5.	SBD FORMS 1,4,8,9,6.1 and 6.2	



Banking Details:

Country (Where bank is located)	
Name of bank	
Bank key (Branch Number)	
Bank account (Account Number)	
Account holder (Only to be filled in if the name of the account holder is not the same as the name of the vendor)	
Name of account (Type of account)	

Initials and Surname (Bank official):

Signature (Bank official):

Telephone Number (Bank Official): Date:

_____ _____

**Date stamp of bank
Certified as correct**

Duly authorised to sign on behalf of _____ (Name of organisation) address

COMMISSIONER OF OATHS:

Signature: _____ Date: _____

STAMP MUST BE DATE STAMPED AND SIGNED

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	IUCMA/CATERING PANEL/2017	CLOSING DATE:	07 JULY 2017	CLOSING TIME:	16:00 PM
DESCRIPTION	CATERING PANEL				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Mbombela: Suite 801, 8th floor. The Maxsa Building, 13 Streak Street, Mbombela, 1200					
Piet Retief: 32A Joubert Street, Piet Retief, 1280					
Bushbuckridge: Suite 4, Bushbuckridge Shopping Complex, 1280					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER		CODE		NUMBER	
CELLPHONE NUMBER					
FACSIMILE NUMBER		CODE		NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
		TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes
		<input type="checkbox"/> No			<input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
		<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
		<input type="checkbox"/>	A REGISTERED AUDITOR		
		NAME:			
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	
		[IF YES ENCLOSE PROOF]		[IF YES ANSWER PART B:3 BELOW]	
SIGNATURE OF BIDDER			DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)					
TOTAL NUMBER OF ITEMS OFFERED				TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT/ PUBLIC ENTITY	IUCMA		CONTACT PERSON	BERNICE MKHABELA	
CONTACT PERSON	THANDI SEBAKE		TELEPHONE NUMBER	013 753 9052	
TELEPHONE NUMBER	013 753 9041		FACSIMILE NUMBER		
FACSIMILE NUMBER			E-MAIL ADDRESS	mkhabelab@iucma.co.za	
E-MAIL ADDRESS	sebaket@iucma.co.za				

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js365bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. 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 consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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 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.

10. 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js914w 2

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the 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	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
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.

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: . =(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"/>
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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 side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>
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<p>..... SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p> <p>ADDRESS</p> <p>.....</p> <p>.....</p>

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, 2017, 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, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders 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](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. **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>
_____	_____ %
_____	_____ %
_____	_____ %

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

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

3.1 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.

4. 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/industrial_development/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
- (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 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5

of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____