

Notice and Invitation to Bid: PA-04 (GS)

PA-04 (GS): NOTICE AND INVITATION TO BID

THE DEPARTMENT OF PUBLIC WORKS INVITES BIDDERS FOR THE PROVISION OF Supply and Delivery of Horticultural Machineryfor the Department of Public Works and Infrastructure, Cape Town Region for the period of thirty six (36) months.

Project title:		lic Works and Infrastructure	orticultural Machinery for the , Cape Town Region for the
Bid no:	CPTSC12/22		
Advertising date:	11/11/2022	Closing date:	02/12/2022
Closing time:	11H00	Validity period:	60 days

Only bidders who are responsive to the following responsiveness criteria are eligible to submit bids:

1.	\boxtimes	Bid offer must be properly received on the bid closing date and time specified on the invitation, fully completed and signed in ink.		
2.		Submission of other compulsory returnable schedules / documents as per (PA-09 (GS)): List of returnable documents.		
3.		Submission of (PA-16): Preference points claim form in terms of the Preferential Procurement Regulations 2017.		
4.		Compliance to Local Production and Content requirements as per PA36 and Annexure C		
5.		Registration on National Treasury's Central Supplier Database (CSD)		
6.	\boxtimes	Compliance with Pre-qualification criteria for Preferential Procurement		
7.	\boxtimes	Use of correction fluid is prohibited		
8.		Tenderers to comply with the pre-qualification criteria on paragraph 11.3 (level 1 or 2) for Preferential Procurement as follows: a) A valid copy of the bidder's BBB-EE certificate OR		
		b) A valid copy of the bidder's "Sworn Affidavit" attested by the commissioner of Oath as prescribed by the BBB-EE Codes of Good Practice.		
		The Date of deponent and date of Commissioner of Oath must correspond or be the same; financial year end must be indicated, according to The Broad-Based Black Economic Empowerment Practice Guide 01 Of 2018, Determining The Validity of a Broad-Based Black Economic Empowerment Verification Certificate, B-BBEE Certificate and Sworn Affidavit paragraph 17(i)		
		c) A valid copy of BBB-EE issued by the DTI will be accepted		
		d) A valid copy of a BBB-EE Verification Certificate / a sworn affidavit and a BBB-EE Certificate issued by the Companies and Intellectual Property Commission (CIPC) will be accepted		
		e) A trust, consortium or joint venture must submit a consolidated BBB-EE status Level Certificates together with the bids. Failure to submit the consolidated BBB-EE will lead to disqualification of the bid.		
		NB: Failure to submit any of the above will result in disqualification of bids as this is a prequalification criteria. Fully completed pricing schedule and submission of PA32		
9.		Submission of DPW09: Particular of Tenderer`s Projects		
10.		Submission of fully completed and signed PA32 and fully completed pricing schedule.		
11.	\boxtimes	The bidder must attend the compulsory briefing and sign the attendance register.		



⋈ 80/20 Preference points

scoring system

Indicate administrative requirements applicable for this tender. Tenderers may be required to submit the below documents where applicable.

1	\boxtimes	Any correction to be initialled by the person authorised to sign the tender documentation as per PA 15.1 or PA 15.2 resolution of board/s of directors / or PA15.3 Special Resolution of Consortia or JV's.
2		Submission of applicable (PA-15.1, PA-15.2, PA-15.3): Resolution by the legal entity, or consortium / joint venture, authorising a dedicated person(s) to sign documents on behalf of the firm / consortium / joint venture.
3	\boxtimes	Submission of (PA-11): Declaration of Interest and Tenderer's Past Supply Chain Management Practices.
4	\boxtimes	Submission of (PA-29): Certificate of Independent Bid Determination.
5		Submission of (PA 40): Declaration of Designated Groups for Preferential Procurement.
6	\boxtimes	Submission of proof of Registration on National Treasury's Central Supplier Database (CSD).
7		Submission of record of attending compulsory virtual bid clarification / site inspection meeting.
8	\boxtimes	Submission of PA16: Preference points claim form in terms of the Preferential Procurement Regulation 2017
9	\boxtimes	Submission of DPW16: Site inspection meeting certificate
10		Specify other responsiveness criteria
11		Specify other responsiveness criteria
12		Specify other responsiveness criteria

Tenderer must comply with the Pre-qualification criteria for Preferential Procurement listed below

\boxtimes	A tenderer having stipulated minimum B-BBEE status level of contributor:
	⊠Level 1
	or
	│ ⊠Level 2
	or
	Level 3
	An EME or QSE
	A tenderer subcontracting a minimum of 30% to:
	☐An EME or QSE which is at least 51% owned by black people
	An EME or QSE which is at least 51% owned by black people who are youth
	An EME or QSE which is at least 51% owned by black people who are women
	An EME or QSE which is at least 51% owned by black people with disabilities
	An EME or QSE which is at least 51% owned by black people living in rural or underdeveloped areas or townships
	A co-operative which is at least 51% owned by black people
	An EME or QSE which is at least 51% owned by black people who are Military
	veterans
	☐An EME or QSE;
This bid will	be evaluated according to the preferential procurement model in the PPPFA:
(Tick applic	able preference point scoring system)

☐ Either 80/20 or 90/10 Preference points

scoring system

90/10 Preference points scoring

system

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In case where below/above R 50 000 000 is selected, the lowest acceptable tender will be used to determine the applicable preference point system.

<u>Note:</u> Functionality will be applied as a prequalification criterion. Such criteria is used to establish minimum requirements where after bids will be evaluated solely on the basis of price and preference.

Minimum functionality score to qualify for further evaluation: 50	Minimum functionality score to qualify for further evaluation:	50
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Functionality criteria:	Weighting factor:
EXPERIENCE WITH SUPPLY AND DELIVERY OF HORTICULTURAL MACHINERY	
The bidder must demonstrate adequate experience in supply and delivery with a threshold equal to or above R600 000 accumulatively in the last 5 years. The 5 years will be calculated up to the closing of the bid.	
The bidder must attach appointment letter(s) or purchase order (s) with reference letter (s) from the Employer with a clear project description, contract value and contract period.	
Only projects completed prior to the closing date will be considered.	40
The proof submitted in this category must be aligned to the list of projects submitted on the DPW-09. Failure to provide information on the DPW-09 or provide information regarding the bidder's experience will lead to no scoring of points in this criteria. The projects listed on the DPW-09 will be used to score the bidder on quality.	40
Scoring: 5 projects and above = 5 points 4 projects = 4 points 3 projects = 3 points 2 projects = 2 points	



The bidder must submit quality form for each project listed on the DPW-09. If the bidder submit more than one quality form with different ratings, an average will be used to score the bidder in this criteria. Failure to submit quality forms (QP-002) will lead to no scoring of points in this criteria. Scoring Excellent = 5 points Good = 4 points Satisfactory = 3 points Average = 2 points Poor = 1 point Resources (Vehicles) The bidder must provide one of the following as proof of vehicle (bakkie/LVD): 1). Copy of E-Natis print out of vehicle registration with the director's name or company name. 2). A letter of intent to lease or buy. The bidder will be given 7 calendar days to lease or buy the vehicle if awarded the tender. 3). A lease agreement signed by both parties (the lessee and lessor). The lease agreement must be valid for the duration of the contract. Scoring: 5 points — proof of ownership or lease agreement 3 points — letter of intent Total	
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)
(The projects submitted for experience, quality / QP-002 must correspond with projects listed on the DPW-09).	
the DPW09 and it must be signed and stamped. The duly completed, signed and stamped QP-002 form must be attached to the tender document and submitted on/or before closing date.	
his/her contact details). The bidder must forward/submit the standard template (QP-002) attached in the tender document to the referees to complete as listed on the DPW00 and it must be signed and attached. The duly completed signed and	
Bidders must provide contactable references (inclusive of contact person and	
References listed on the DPW-09 will be used to obtain the quality of work. The alignment of criteria number 1 (experience) will be used for scoring of quality.	
Quality	

Subject to sub-regulation 6(2) and /or 7(2), points must be awarded to a tenderer for attaining B-BBEE status level contributor in accordance with the table below:

B-BBEE Status Level of	Number of Points	Number of Points (80/20
Contributor	(90/10 system)	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

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

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- The points scored by a tenderer in respect of the level of BBBEE contribution contemplated in sub regulation 6(2) and 7(2) must be added to the points scored for price as calculated in accordance with sub regulation 6(1) and 7(1) respectively
- Subject to regulation 11(1), the contract must be awarded to the tenderer who scores the highest total number of points.
- A contract may be awarded to a tenderer that did not score the highest total number of points, only in accordance with section 2 (1) (f) of the Act

COLLECTION OF BID DOCUMENTS:

collection of the bid documents.

<u></u>	Dia accumente are available for free devirtical off e Terrael portai
	www.etenders.gov.za
\boxtimes	Alternatively; Bid documents may be collected during working hours at the following
	address Lower Heerengracht Street, Custom's House, 9th floor, Room941, Cape Town
	A non-refundable bid deposit of R 200.00 is payable, (Cash only) is required on

A **compulsory** pre bid meeting with representatives of the Department of Public Works will take place at Lower Heerengracht Street, Custom's House on 25/11/2022 starting at 10H00. Venue 3rd Floor, Custom's House. (if applicable)

ENQUIRIES RELATED TO BID DOCUMENTS MAY BE ADDRESSED TO:

Rid documents are available for free download on e-Tender portal

DPW Project Leader:	MAE Jantjies	Telephone no:	021 402 2207
Cell no:	079 872 8631	Fax no:	
E-mail:	mae.jantjies@dpw.gov.za		

DEPOSIT / RETURN OF BID DOCUMENTS:

Telegraphic, telephonic, telex, facsimile, electronic and / or late tenders will not be accepted.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the bid document.

All tenders must be submitted on the official forms -



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BID DOCUMENTS MAY BE POSTED TO:

THE DIRECTOR -GENERAL DEPARTMENT OF PUBLIC WORKS PRIVATE BAG X 9027

Cape Town

8001

ATTENTION:

PROCUREMENT SECTION: ROOM 941

POSTED TENDERS MUST BE RECEIVED PRIOR CLOSING DATE AND TIME AT 11H00 BY THE DEPARTMENT

DEPOSITED IN THE TENDER BOX AT:

FRONT ENTRANCE

CUSTOM'S HOUSE BUILDING

LOWER HEERENGRACHT STREET

ROOM 941

COMPILED BY:

MAE. Jantjies	my fft	Chief Horticulturist	2022/11/07
Name of Project Leader	Signature	Capacity	Date

OR



Department:
Public Works and Infrastructure
REPUBLIC OF SOUTH AFRICA
List of Returnable Documents: PA-09 (GS)

PA-09 (GS): LIST OF RETURNABLE DOCUMENTS

Project title:	The provision of Supply and Delivery of Horticultural Machinery for Department of Public Works and Infrastructure, Cape Town Region for period of thirty six (36) months.		
Project Leader:	MAE Jantjies	Bid / Quote no:	CPTSC12/22

1. THE BIDDER MUST COMPLETE THE FOLLOWING RETUNABLE DOCUMENTS:

(Bidders may use the "Returnable document" column to confirm documents have been completed and returned by

inserting a tick)	PROJECTION OF THE PROJECT OF THE PRO	Number of	Returnable
Bid Document Name:		Pages:	document:
DPW 09EC - Particulars of Tenderer	-	2 Pages	
PA 11 - Declaration of Interest and E Management Practices	Bidder`s Past Supply Chain	4 Pages	
PA 15.1 - Resolution of Board of Dire	ectors	2 Pages	
PA 15.2 - resolution of Board of Dire Joint Venture	ctors to Enter into Consortia or	2 Pages	
PA 15.3 - Special Resolution of Con-	sortia or Joint Venture	3 Pages	
DPW 16EC - Site Inspection Meeting	g Certificate	1 Pages	
PA 29 - Certification of Independent	Bid Determination	4 Pages	
PA 32 - Invitation to bid and Terms a	and Conditions for Bidding	3 Pages	
PA 40 - Declaration of Designated G Procurement	roups for Preferential	2 Pages	
Proof of Central Supplier Database r	registration (CSD printout)	Pages	
Pricing Schedule Completed and Sig	gned (Annexure A)	Pages	
		Pages	
	10-00-00-00-00-00-00-00-00-00-00-00-00-0		we.
Name of Bidder	Signature		Date



PA-11: BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest (1) in the enterprise, employed by the state?

YES / NO

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

Full Name	Identity Numbe	r Name of State institution
		"
· · · · · · · · · · · · · · · · · · ·		
· news	88879000	
* *************************************		
***************************************	,1=1-11.	

⁽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.



2.2

2.2	Do you, or any person connected with the bidder, have a relationship with 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 or any person having a controlling interest in the enterprise have any interest other related enterprise whether or not they are bidding for this contract?			
	the contract of the contract o	YES / NO		
2.3.1	If so, furnish particulars:			
3 D	ECLARATION			

3.1 I have read and I understand the contents of this disclosure;

certify to be true and complete in every respect:

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;

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I

- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium2 will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.5 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.
- 3.6 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.

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer". Page 2 of 3 For External Use Effective date 5 July 2022 Version: 2022/03

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.



3.7 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



PA-15.1: RESOLUTION OF BOARD OF DIRECTORS

RESOLUTION of a meeting of the Board of *Directors / Members / Partners of:

(Le	gally o	correct full name and registration number, if applica	able, of the Enterprise)					
He	ld at		(place)					
on			(date)					
RE	SOL	_VED that:						
1.	The Enterprise submits a Bid / Tender to the Department of Public Works in respect of the following project:							
	(Pro	nject description as per Bid / Tender Document)	***************************************					
	Bid	/ Tender Number:	(Bid / Tender Nu	ımber as per Bid / Tender Document)				
2.		r/Mrs/Ms:						
		his/her Capacity as:						
	and	d who will sign as follows:						
	corr any	and is hereby, authorised to sign the respondence in connection with and relay and all documentation, resulting from ove.	ating to the Bid / Tender, as well	as to sign any Contract, and				
		Name	Capacity	Signature				
L	1							
	2							
	3							
	4							
	5							
	6							
	7							
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	9							
	10							
	11							
	12							
	13							
	14							
	15							
	16							



PA-15.1: Resolution of Board of Directors

17		
18		
19		
20		

Vo	te:	ENTERPRISE STAMP
1.	* Delete which is not applicable.	
	NB: This resolution must, where possible, be signed by all	
	the Directors / Members / Partners of the Bidding	
	Enterprise.	
	In the event that paragraph 2 cannot be complied with, the	
	resolution must be signed by Directors / Members / Partners holding a majority of the shares / ownership of the	
	Bidding Enterprise (attach proof of shareholding /	
	ownership hereto).	
	Directors / Members / Partners of the Bidding Enterprise	
	may alternatively appoint a person to sign this document	
	on behalf of the Bidding Enterprise, which person must be	
	so authorized by way of a duly completed power of	
	attorney, signed by the Directors / Members / Partners holding a majority of the shares / ownership of the Bidding	
	Enterprise (proof of shareholding / ownership and power	
	of attorney are to be attached hereto).	
	Should the number of Directors / Members / Partners	
	exceed the space available above, additional names and	
	signatures must be supplied on a separate page.	



PA-15.2: RESOLUTION OF BOARD OF DIRECTORS TO ENTER INTO **CONSORTIA OR JOINT VENTURES**

(Leg	gally correct full name and registration number, if applic	able, of the Enterprise)
He	d at	(place)
on		(date)
RE	SOLVED that:	
1.	The Enterprise submits a Bid /Tender, in con	nsortium/Joint Venture with the following Enterprises:
	(List all the legally correct full names and registration (Venture)	numbers, if applicable, of the Enterprises forming the Consortium/Joint
	to the Department of Public Works in respe	ct of the following project:
	(Project description as per Bid /Tender Document)	
	Bid / Tender Number:	(Bid / Tender Number as per Bid / Tender Document)
2.	*Mr/Mrs/Ms:	
	in *his/her Capacity as:	(Position in the Enterprise)
	and who will sign as follows:	
		nsortium/joint venture agreement with the parties listed unde ents and/or correspondence in connection with and relating to the project described under item 1 above.
	of the obligations of the joint venture deriving	ity with the parties listed under item 1 above for the due fulfilmen from, and in any way connected with, the Contract to be entered bject described under item 1 above.
3.	into with the Department in respect of the pro	
3. 4.	The Enterprise chooses as its domicilium cita	andi et executandi for all purposes arising from this joint venture ment in respect of the project under item 1 above:
	The Enterprise chooses as its domicilium cita	ment in respect of the project under item 1 above:
	The Enterprise chooses as its domicilium cita agreement and the Contract with the Department	ment in respect of the project under item 1 above:



PA.	15.2:	Resolution	of Board	of Directors	to enter into	Consortia or	Joint Venture
-----	-------	------------	----------	--------------	---------------	--------------	---------------

Postal Address:		
	MVA_ ·	(code)
Telephone number:		
Fax number:		

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			A
12			
13			
14			
15			

The bidding enterprise hereby absolves the Department of Public Works from any liability whatsoever that may arise as a result of this document being signed

Note:

- 1. * Delete which is not applicable.
- NB: This resolution must, where possible, be signed by <u>all</u> the Directors / Members / Partners of the Bidding Enterprise.
- In the event that paragraph 2 cannot be complied with, the resolution must be signed by Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (attach proof of shareholding / ownership hereto).
- 4. Directors / Members / Partners of the Bidding Enterprise may alternatively appoint a person to sign this document on behalf of the Bidding Enterprise, which person must be so authorized by way of a duly completed power of attorney, signed by the Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (proof of shareholding / ownership and power of attorney are to be attached hereto).
- Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

I		
1		
1		

ENTERPRISE STAMP



PA-15.3: SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the duly authorised representatives of the following legal entities who have entered into a consortium/joint venture to jointly bid for the project mentioned below; (legally correct full names and registration numbers, if applicable, of the Enterprises forming a Consortium/Joint Venture) Held at ______(place) **RESOLVED** that: **RESOLVED that:** A. The above-mentioned Enterprises submit a Bid in Consortium/Joint Venture to the Department of Public Works in respect of the following project: (Project description as per Bid /Tender Document) Bid / Tender Number: ______(Bid / Tender Number as per Bid /Tender Document)



PA-15.3: Special Resolution of Consortia or Joint Ventures

В.	*Mr/Mrs/Ms:	WALL THOUGHTON THE TOTAL PROPERTY OF THE TOT
	in *his/her Capacity	as:(Position in the Enterprise)
	and who will sign as	follows:
	connection with and	uthorised to sign the Bid, and any and all other documents and/or correspondence in relating to the Bid, as well as to sign any Contract, and any and all documentation, rard of the Bid to the Enterprises in Consortium/Joint Venture mentioned above.
C.		stituting the Consortium/Joint Venture, notwithstanding its composition, shall conduct e name and style of:
D.	the obligations of the	ne Consortium/Joint Venture accept joint and several liability for the due fulfilment of Consortium/Joint Venture deriving from, and in any way connected with, the Contract Department in respect of the project described under item A above.
E.	agreement, for what Notwithstanding such	es to the Consortium/Joint Venture intending to terminate the consortium/joint venture tever reason, shall give the Department 30 days written notice of such intention. In decision to terminate, the Enterprises shall remain jointly and severally liable to the lue fulfilment of the obligations of the Consortium/Joint Venture as mentioned under
F.	Enterprises to the Co	e Consortium/Joint Venture shall, without the prior written consent of the other consortium/Joint Venture and of the Department, cede any of its rights or assign any or ider the consortium/joint venture agreement in relation to the Contract with the to herein.
G.	purposes arising from	ose as the domicilium citandi et executandi of the Consortium/Joint Venture for all in the consortium/joint venture agreement and the Contract with the Department in tunder item A above:
	Physical address:	
	-	
	-	(Postal code)
	Postal Address:	
	-	(Postal code)
	Telephone number:	
	Fax number:	



PA-15.3: Special Resolution of Consortia or Joint Ventures

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			·
12			
13			
14			
15			

The bidding enterprise hereby absolves the Department of Public Works & Infrastructure from any liability whatsoever that may arise as a result of this document being signed.

Note:

- * Delete which is not applicable.
- 2. **NB:** This resolution must be signed by <u>all</u> the Duly Authorised Representatives of the Legal Entities to the consortium/joint venture submitting this tender, as named in item 2 of Resolution PA-15.2.
- Should the number of the Duly Authorised Representatives of the Legal Entities joining forces in this tender exceed the space available above, additional names, capacity and signatures must be supplied on a separate page.
- Resolution PA-15.2, duly completed and signed, from the separate Enterprises who participate in this consortium/joint venture, must be attached to this Special Resolution (PA-15.3).



PA16: 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 AND THE AMENDED B-BBEE CODES.

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. The value of this bid is estimated to **Not Exceed**R50 000 000 (all applicable taxes included) and therefore the...**80/20**.....system shall be applicable.
- 1.3. Preference points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B-BBEE Status Level of Contribution.
- 1.3.1 The maximum points for this bid are allocated as follows:

1.0.1	The maximum points for this bid are allocated as follows.	POINTS
1.3.1.1	PRICE	80
1.3.1.2	B-BBEE STATUS LEVEL OF CONTRIBUTION	20
	Total points for Price and B-BBEE must not exceed	100

- 1.4. Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.5. An Exempted Micro Enterprise (EME) is only required to obtain a sworn affidavit or a certificate issued by Companies and intellectual property Commission (CIPC) confirming their annual turnover of R10 Million or less and level of black ownership to claim points.
- 1.6. Qualifying Small Enterprise (QSE) is only required to obtain a sworn affidavit or a certificate issued by Companies and intellectual property Commission (CIPC) confirming their annual turnover of R10 Million or less and level of black ownership to claim points.

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

Page 1 of 6
For Internal Use

Effective date 20 September 2021

Version: 2021/01



- 1.7 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.
- 1.8 CERTIFICATES ISSUED BY IRBA AND ACCOUNTING OFFICER HAVE BEEN DISCONTINUED; HOWEVER VALID CERTIFICATES ALREADY ISSUED BEFORE 01 JANUARY 2017 MAY BE USED UNTIL THEY PHASE OUT COMPLETELY BY DECEMBER 2017

2. **DEFINITIONS**

- (a) "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- (b) "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (c) "B-BBEE status level of contributor" means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (d) "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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- (e) "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (f) "comparative price" means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- (g) "consortium or joint venture" 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;
- (h) "contract" means the agreement that results from the acceptance of a bid by an organ of state;
- (i) "EME" means an Exempted Micro Enterprise as defines by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (j) "Firm price" means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- (k) "functionality" means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- (I) "non-firm prices" means all prices other than "firm" prices;
- (m) "person" includes a juristic person;
- (n) "QSE" means a Qualifying Small Enterprise as defines by Codes of Good Practice under



section 9 (1) of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

- (o) "rand value" means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- (p) "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;
- (q) "total revenue" bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the Government Gazette on 9 February 2007;
- (r) "trust" means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- (s) "trustee" means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

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

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

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

Where

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration



Pmin = Comparative price of lowest acceptable bid

5. Points awarded for B-BBEE Status Level of Contribution

5.1 In terms of Regulation 6(2) and /or 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

- A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.4 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.5 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

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



7.		-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN 1 .2 AND 5.1	TERMS OF	PARAGRA	PHS
7.1	B-BI	BEE Status Level of Contribution: =	(maximum d	of 10 or 20 pc	oints)
	para	nts claimed in respect of paragraph 7.1 must be in accordance graph 5.1 and must be substantiated by means of a B-BE ication Agency accredited by SANAS or Sworn Affidavit for EN	BEE certifica	ate issued l	ed in by a
8	su	B-CONTRACTING (relates to 5.5)			
8.1	Wil	any portion of the contract be sub-contracted? YES / NO (de	elete which is	s not applica	able)
8.1.1	If yes (i)	s, indicate: 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/ a QSE YES / NO (de	elete which is	s not applica	able)
		ated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √	·
Blac	k pec	ple			
		pple who are youth			
		ple who are women			
		ple with disabilities			
		ple living in rural or underdeveloped areas or townships			
		ive owned by black people			
Diac	к рес	ple who are military veterans			
Anu	EME	OR	1		
	QSE				
Any	USE				
9 9.1		CLARATION WITH REGARD TO COMPANY/FIRM ne of company/firm			
9.2	VA	Γ registration number		•••••	
9.3	Cor	npany registration number		• • • • • • • • • • • • • • • • • • • •	
9.4	Par One Clos Cor	PE OF COMPANY/ FIRM tnership/Joint Venture / Consortium e person business/sole propriety se corporation npany e) Limited			



[TICK 9.5	APPLICA	BLE BOX] RIBE PRINCIPAL BUSINESS ACTIVI	TIES
9.0	DESC	NIDE FRINCIPAL BUSINESS ACTIVI	HES
9.6	Manufa Supplie Profess Other s		
9.7	Total n	umber of years the company/firm has	been in business?
9.8	certify paragra	that the points claimed, based on the	horised to do so on behalf of the company/firm, e B-BBE status level of contribution indicated in orn Affidavit, qualifies the company/ firm for the e that:
	(i)	The information furnished is true a	
	(ii)	indicated in paragraph 1 of this for	e in accordance with the General Conditions as m.
	(iii)		rarded as a result of points claimed as shown in the required to furnish documentary proof to the the claims are correct:
	(iv)	If the B-BBEE status level of co	ntribution has been claimed or obtained on a nditions of contract have not been fulfilled, the
		 (a) Disqualify the person from (b) Recover costs, losses or day that person's conduct; 	the bidding process; amages it has incurred or suffered as a result of
		(c) Cancel the contract and cla of having to make less favo	m any damages which it has suffered as a result urable arrangements due to such cancellation;
		shareholders and directors to business from any organ of	tor, its shareholders and directors, or only the who acted on a fraudulent basis, from obtaining state for a period not exceeding 10 years, after ar the other side) rule has been applied; and
		(e) forward the matter for crimir	
	WITN	NESSES:	
1.			
2.			SIGNATURE(S) OF BIDDER(S)
DATE	<u>:</u>	ADDRESS:	
	.,,,,,,,,,		



PA- 29: CERTIFICATION OF INDEPENDENT BID DETERMINATION

Project title:	The provision of Supply and Delivery of Horticultural Machinery for the De of Public Works and Infrastructure, Cape Town Region for the period of (36) months.					
Bid no:	CPTSC 12/22	Reference no:				

INTRODUCTION

- 1. This PA-29 [Certificate of Independent Bid Determination] 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 *per* 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.
 - 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 form (PA-29) 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 (PA-29) 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)	<u></u>
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	y respect:
I certify, on behalf of:th	at:
(Maine of Didder)	

- 1. I have read and I understand the contents of this Certificate.
- 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.
- 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.

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.

			· ·
Name of Bidder	Signature	Date	Position
Name of Didder		Date	r osition



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.



PA 32: INVITATION TO BID PART A

YOU ARE HERE	BY INVITED TO BID FOR F	REQUIRE	MENTS O	F THE (NAME O	F DEPA	ARTMENT/PUE	BLIC ENTITY)		
BID NUMBER:	CPTSC12/22	CLO	SING DAT	TE: 02/12/2	2022	CLOS	SING TIME: 11HOO		
	The provision of Su	ipply an	d Deliv	ery of Hortic	cultura	ıl Machiner	y for the Department of Public		
DESCRIPTION		78.23717.1323171.132311.	strong to any one mile the min.	A transfer from a continuo (1982 a California) - A constat (1973 a California)	Coardonnell'ident/Schuck-Vildelsind	241 A. Santalakina (Astalaman (Astalak) M. P. Sant C. Chalada.	nirty six (36) months.		
					RITTEN	CONTRACT F	ORM (DPW04.1 GS or DPW04.2 GS).		
	DOCUMENTS MAY BE D AT (STREET ADDRESS)	DEPOSITE	D IN TH	E BID					
1007-7-10020-7-10-3-7-17-7-7-7-1100-12-12-12-12-12-12-12-12-12-12-12-12-12-	ERENGRACHT STI	REET, I	ORES	HORE					
CAPE TOWN	Ĭ								
OR POSTED TO:									
LOWER DESIGNATION CONTRACTOR OF STREET OF STREET	ender Office, Custon	ns Hou	se Build	ling, Lower I	Teerei	ngracht Stre	et		
Parasassas Parasas Ironia de Caracteria de C	Cape Town, 8000								
NAME OF BIDDE	SUPPLIER INFORMATION								
POSTAL ADDRES	SS								
STREET ADDRE	SS			***************************************		r			
TELEPHONE NU	MBER	CODE				NUMBER			
CELLPHONE NU	MBER					<u> </u>	**************************************		
FACSIMILE NUM	BER	CODE				NUMBER			
E-MAIL ADDRES	S								
VAT REGISTRAT	ION NUMBER						1		
		TCS PIN	l:		OR	CSD No:			
CERTIFICATE	LEVEL VERIFICATION	Yes			B-BBEE STATUS Yes				
TICK APPLICABI	S THE CERTIFICATE	□ No AFFIDAVIT □ No			NO				
ISSUED BY?									
			AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)						
			A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)						
						•			
			A REGISTERED AUDITOR DETAILS: NAME:						
			REGIST	RATION NUMBE	R:				
							w		
			BUSINE	SS ADDRESS:					

			,,,,,,,,,,,	••••••	•••••				
						,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
			TEI EDL	JONE VILIMBED					
			E-MAIL	ADDRESS:					



PA-32: Invitation to Bid

[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	Yes	1	10	ARE YOU A FOREIGN	☐Yes	□No	
FOR THE GOODS /SERVICES /WORKS				BASED SUPPLIER FOR THE GOODS /SERVICES	[IF YES ANSWER	R PART B:3	
OFFERED?	[IF YES ENCL	OSE PROOI	F]	/WORKS OFFERED?	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 BID PRICE (1ALL			
TOTAL NUMBER OF ITEMS OFFERED				APPLICABLE TAXES)			
BIDDING PROCEDURE ENQUIRIES MAY E	E DIRECTED T	0:	TECHNI	CAL INFORMATION MAY	BE DIRECTED TO:		
DEPARTMENT/ PUBLIC ENTITY			CONTA	CT PERSON			
CONTACT PERSON			TELEPH	IONE NUMBER			
TELEPHONE NUMBER			FACSIM	ILE NUMBER			
FACSIMILE NUMBER			E-MAIL.	ADDRESS			
E-MAIL ADDRESS							

PART B TERMS AND CONDITIONS FOR BIDDING

1.	1. ;	BID	SUI	3MIS	SIO	ı٠

- 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.



PA-32: Invitation to Bid

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
IF T	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? HE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMEN COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERV DVE.	
NB: Note	FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE COPY OF THE B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST E PREFERENCE POINTS FOR B-BBEE. Well:	
	 In respect of non VAT vendors the bidders may not increase the bid price under Sectifier the relevant transaction would become subject to VAT by reason of the turnover three for VAT. All delivery costs must be included in the bid price, for delivery at the prescribe The price that appears on this form is the one that will be considered for acceptance at The grand total in the pricing schedule(s), inclusive of VAT, attached to the bid offer not seen that will be considered for acceptance at the grand total in the pricing schedule(s), inclusive of VAT, attached to the bid offer not seen that will be considered for acceptance at the grand total in the pricing schedule(s), inclusive of VAT, attached to the bid offer not seen that will be considered for acceptance at the grand total in the pricing schedule(s). 	hold being exceeded and the bidder becomes liable d destination. Is <u>a firm and final offer.</u> Bust correlate and be transferred to this form (PA32). Edule(s) and the PA32 price offer, the price offer on

¹ All applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies



DPW-16 (EC): SITE INSPECTION MEETING CERTIFICATE

Project title:	Department		of Horticultural Machinery for the structure, Cape Town Region for the
Tender no:	CPTSC12	/22 Reference n	io:
Closing date:			
This is to certify that I,			representing
			in the company of
			visited the site on: insert date
			tions given at the site inspection fied and implied, in the execution of this
		** ***********************************	
Name of Te	nderer	Signature	Date
Name of DPM Re	nrecentative	Signature	Data



DPW-09 (EC): PARTICULARS OF TENDERER'S PROJECTS

Project title:	The provision of Supply and Delivery of Horticultural Town Region for the period of thirty six (36) months.	very of Horticultural Machinery for the Department of Public Works and Infrastructure, Cape rty six (36) months.	iblic Works and Infrastructure, Cape
Tender / quotation no:	CPTSC12/22	Closing date:	02/12/2022
Advertising date:	11/11/2022	Validity period:	60 days

1. PARTICULARS OF THE TENDERER'S CURRENT AND PREVIOUS COMMITMENTS

1.1. Current projects

					- Company of the Comp		
Proj	Projects currently engaged in	Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commence-	Contractual completion	Current percentage
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Tender no:

1.2. Completed projects

Pro (fiv	Projects completed in the previous 5 (five) years	Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commence-ment date	Contractual completion date	Date of Certificate of Practical
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Date	
Signature	
Name of Tenderer	· · · · · · · · · · · · · · · · · · ·



PA- 40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT

Tender no: CPTSC12/22

☐ EME¹ ☐ QSE² ☐ Non EME/QSE (tick applicable box	
Name of Tenderer	

1. LIST ALL PROP	LIST ALL PROPRIETORS, MEMBERS OR SHAREHOLDERS BY NAME, IDENTITY NUMBER, CITIZENSHIP AND DESIGNATED GROUPS.	3 SHAREHOLDI	ERS BY NAME, IT	DENTITY NUMBER	CITIZENSHIP A	IND DESIGNATE	O GROUPS.	
Name and Surname #	Identity/ Passport number and Citizenship##	Percentage owned	Black	Indicate if youth	Indicate if woman	Indicate if person with disability	Indicate if living in Rural (R) / Under Developed Area (UD) / Township (T) / Urban (U).	Indicate if military veteran
		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No		☐ Yes ☐ No
2.		%	☐ Yes ☐ No	☐ Yes ☐ No	N □ Yes □	☐ Yes ☐ No		☐ Yes ☐ No
3.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No		☐ Yes ☐ No
4.		%	☐ Yes ☐ No	☐ Yes ☐ No	ON 🗌 səy 🗎	☐ Yes ☐ No		☐ Yes ☐ No
5.		%	☐ Yes ☐ No	☐ Yes ☐ No	No □ Yes □	☐ Yes ☐ No	□R □ UD □T □ U	☐ Yes ☐ No
6.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□R □ UD □T □ U	□ Yes □ No
7.		%	☐ Yes ☐ No	☐ Yes ☐ No	No □ Yes □	☐ Yes ☐ No	□R □ UD □T □ U	☐ Yes ☐ No
8		%	☐ Yes ☐ No	☐ Yes ☐ No	No □ Yes □	☐ Yes ☐ No	□R □ UD □T □ U	□ Yes □ No
G		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□R □ UD □T □ U	☐ Yes ☐ No
10.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□ Yes □ No	□R □ UD □ T □ U	□ Yes □ No
11.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□R □ UD □ T □ U	☐ Yes ☐ No
12.		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□R □ UD □T □ U	☐ Yes ☐ No

Where Owners are themselves a Company, Close Corporation, Partnership etc, identify the ownership of the Holding Company, together with Registration number State date of South African citizenship obtained (not applicable to persons born in South Africa) ##

¹ EME: Exempted Micro Enterprise ² QSE: Qualifying Small Business Enterprise



PA- 40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT

Tender no:

2. DECLARATION:

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the Tenderer, hereby confirms that:

- The information and particulars contained in this Affidavit are true and correct in all respects;
- Procurement Regulations, 2017, National Small Business Act 102 of 1996 as amended and all documents pertaining to this Tender were studied and understood The Broad-based Black Economic Empowerment Act, 2003 (Act 53 of 2003), Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), the Preferential and that the above form was completed according to the definitions and information contained in said documents;
- The Tenderer understands that any intentional misrepresentation or fraudulent information provided herein shall disqualify the Tenderer's offer herein, as well as any other tender offer(s) of the Tenderer simultaneously being evaluated, or will entitle the Employer to cancel any Contract resulting from the Tenderer's offer herein: က
- The Tenderer accepts that the Employer may exercise any other remedy it may have in law and in the Contract, including a claim for damages for having to accept a less favourable tender as a result of any such disqualification due to misrepresentation or fraudulent information provided herein;
- Any further documentary proof required by the Employer regarding the information provided herein, will be submitted to the Employer within the time period as may be set by the latter; Ŋ

Signed by the Tenderer

Date
Signature
Name of representative



TENDER CPT SC12/22

RETURNABLE DOCUMENTS

AND

SPECIAL CONDITIONS OF CONTRACT

FOR THE

APPOINTMENT OF A SERVICE PROVIDER

FOR THE

SUPPLY AND DELIVERY

OF

HORTICULTURAL MACHINERY

FOR THE

DEPARTMENT OF PUBLIC WORKS

IN THE

CAPE TOWN REGIONAL OFFICE

FOR A

PERIOD OF 36 MONTHS

APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY AND DELIVERY OF HORTICULTURAL MACHINERY FOR THE NDPWI CAPE TOWN REGIONAL OFFICE FOR A PERIOD OF 36 MONTHS.

1. INTRODUCTION

1.1 The Department of Public Works invites bids for the supply and delivery of horticultural machinery.

2. DURATION OF CONTRACT

2.1 The contract will endure for a period of thirty six (36) months calculated from the date of acceptance of the bid offer made by the successful bidder.

3. SPECIAL CONDITIONS OF CONTRACT

- 3.1 The terms of this specification and all contracts emanating therefrom will be subject to the General Conditions of Contract issued in accordance with Chapter 16A of the Treasury Regulations published in terms of the Public Finance Management Act, 1999 (Act 1 of 1999).
- 3.2 Where, however, the Special Conditions of Contract are in conflict with the General Conditions of Contract, the Special Conditions of Contract shall prevail.

4. PRICING

- 4.1 The prices quoted must be firm for the duration of the 36 month Term Contract and it is expected that the bidder will cover the risk of price increase in the composition of the pricing structure. All prices must be inclusive of 15% Value-Added Tax (VAT), and prices are furnished on a basis of "delivered into the store".
- 4.2 The bid is based on unit prices and the unit prices must include all handling and storing prior to delivery as well as delivery to the premises of the Department.
- 4.3 The quantities stipulated on the pricing schedule should be delivered three (3) times over the 3 year period. Once each financial year.
- 4.4 No unauthorised amendments shall be made to the Schedule of rates or any part of the pricing data.

5. SPECIFICATIONS & STANDARDS

5.1 Unless otherwise specified, the goods supplied under this contract must comply with the relevant standards of the South African Bureau of Standards (SABS). Goods not specified with the specified standards will be returned at the cost of the supplier.

- 5.2 In correct or faulty delivered goods must be replaced with the correct items to the set standards within 10 working days, unless otherwise stated.
- 5.3. During the evaluation process, the Department may request samples of the certain goods, which will be delivered and collected at the cost of the bidder.

6. ORDERS

- 6.1 This specification and other submitted bid documents and the signed Offer and
 - Acceptance will constitute the Contract between the successful bidder and the Department.
- 6.2 Under no circumstances may the bidder provide any items unless it is specified explicitly on a signed official yearly order in line with the pricing schedule.
- 6.3 Should the successful bidder provide any goods without the supporting order, such goods will not be paid for by the Department.
- 6.4 Quantities delivered may not exceed the ordered quantity. Any over supply will be returned to the successful bidder for his/her own account.
- 6.5 Yearly orders will be emailed or faxed to the successful bidder and the original order will be posted afterwards.

7. DELIVERY PERIODS

- 7.1 Delivery of goods must be made in accordance with the instructions appearing on the official order forms.
- 7.2 All deliveries or dispatches must be accompanied by a delivery note stating the official order number against which the delivery has been affected.
- 7.3 Unless otherwise specified, the goods ordered must be delivered within 10 working days calculated from the date of the order.
- 7.4 Contractors **must adhere strictly** to the delivery periods stipulated by them in their bid documents.
- 7.5 The instructions appearing on the official order form regarding the supply, dispatch and submission of invoices **must be strictly adhered** to.

8. PAYMENTS

8.1 Payments will be made within 30 days of submission of an original invoice and signed delivery note.

- 8.2 Invoices and delivery notes must be placed in a sealed envelope addressed to **The Department of Public Works** and deposited in the invoice boxes provided on the ground and 11th floors of Customs House. Alternatively, the invoices may be posted to the following address: Private Bag x9027, Cape Town, 8000.
- 8.3 The successful bidder shall provide the Department, in addition to the invoices, monthly with a detailed statement of account.
- 8.4 The successful bidder shall renew their banking details every six (6) months from the time of award.

9. CONTRACT ADMINISTRATION

9.1 The successful bidder must advise the Regional Manager: Department of Public Works immediately when unforeseeable circumstances will adversely affect the execution of the contract. Full particulars of such circumstances as well as the period of delay must be furnished.

10. EXCLUSION OF ITEMS

10.1 The Department may choose to exclude certain items from the contract, if according to the Department such item will no longer be used. The items that the Department will no longer required will not be paid for.

11. DISCLAIMER

11.1 Bidders must make and rely on their own investigations and satisfy themselves as to the correctness of any and all aspects of the bid. The Department will not be liable for any incorrect or potentially misleading information in relation to any part of this document and any accompanying bid documents.

12. ABSENCE OF OBLIGATION

13.1 No legal or other obligation shall arise between the bidder and the Department unless and until the formal appointment documentation has been signed. The Department is not obliged to proceed with any proposals of any bidder. The Department also reserves the right to request changes to any proposed consortia.

13. DEFAULT / BREACH OF CONTRACT AND CANCELLATION OF THE CONTRACT

- 13.1. In the event that the Department fails to pay the Supplier without valid reason, for 90 days, the supplier may cancel the contract by giving the Department three (3) months written notice of such cancellation.
- 13.2. Section 23 of the General Conditions of Contract will also be applicable. In case where successful bidder fails to deliver within 3 months period the Department may cancel the contract.

14. DOMICILIA

The Parties nominated the following addresses as their respective domicile for the purpose of the contract:

Department of Public Works:	Customs House Heerengracht Street Foreshore Cape Town
Supplier:	***************************************

15. NOTICES

Any formal notices required to be given by one party to another in terms of the contract may be transmitted per e-mail; Provided that the message shall be deemed to have been received by the intended recipient on the first business day following the day of transmission thereof.

END OF SPECIAL CONDITIONS

Inquiries may be directed to the following officials:

Bid Enquiries : Tel:

Specification Enquiries : Mr MAE Jantjies

Tel: 021 402 2402/7 Mobile: 079 872 8631

Email: mae.jantjies@dpw.gov.za

OR

Ms E. Bessick

Tel: (021) 402 2402/7 Mobile: 082 852 5263

Email: elizabeth.bessick@dpw.gov.za

References in relation to the supply & delivery of Horticultural Machinery

cellent	Good	Satisfactory	Fair	Poor
5	4	3	2	1
Quality of	tems:			
xcellent	Good	Satisfactory	Fair	Poor
5	4	3	2	1
	of deliveries:		,	
xcellent	Good	Satisfactory	Fair	Poor
5	4	3	2	1
Conformar	ce to required specif			
Excelle				Poor
5	4	3	2	1
		e and deliverables receive		
xcellent 5	Good 4	Satisfactory 3	Fair 2	Poor
		Name and position	on of authorising signate	ry



PRICING SCHEDULE



The total offer on this pricing schedule must be carried over to the PA32 (Invitation to Bid) or the quote will be deemed as non-responsive and will not be evaluated further

DESCRIPTION: SUPPLY & DELIVER OF HORTICULTURAL MACHINERY	QUANTITY	UNIT PRICE (per one item / each) EXCLUDING VAT	TOTAL UNIT PRICE incl. VAT EXCLUDING VAT
EXAMPLE: Black pens	6	R2.00 EACH EXCLUDING VAT	R12.00 EXCLUDING VAT
Tractor (Small) with 3 Point Lift, Rear PTO, Mild PTO System, Including F/40/120R Slaser mower, PTO Shaft and removable front Scoop	1	R	R
Clearing saw (Brush cutter) - Stihl FS550 or Similar	30	R	R
Chainsaws - Stihl MS381 or Similar	30	R	R
Hedge trimmer (Small cutting spacing)	9	R	R
Hedge trimmer (Large cutting spacing)	9	R	R
Self-driven/-propelled 25" Cylinder Mower	6	R	R
Pole Pruner (extendable) - Stihl HT 75 or Similar	9	R	R
Pole Pruner (non - extendable) - Stihl HT 75 or Similar	12	R	R
Leaf Blowers (Back Pack)	12	R	R
Lawnmower – Walk behind	6	R	R
Cylinder Mower – Self driven	6	R	R
Ride-On Mower – 3 x Cylinder cutting unit	3	R	R
Kudu Lawnmower – Self driven	6	R	R
Scarify machine	3	R	R
Sod cutter	3	R	R
		44400 67400	
			new.
VAT 15% (If VAT Vendor)			R
TOTAL OFFER (Must be carried over to the PA32)			R
TOTAL OFFER AMOUNT IN WORDS (Including VA	Γ):	

If the bid amount in figures differ from the bid amount in words, the bid amount in words will supersede the bid amount in figures.