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### SPECIAL CONDITIONS / MANDATORY BID CONDITIONS

- The forms in the Table of Contents and on the PA-03(GS): Notice and Invitation for Quotation should be properly completed and signed and returned on or before the due date and time.
- 2. **NB**: PA11: Bidder's Disclosure should be properly/duly completed, dated and signed. Bidders or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise must disclose any interest in any other related enterprise whether or not they are bidding for this contract.
- 3. The total offer on the 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.
- 4. No late, incomplete or quotations with correctional fluid will be accepted.
- Deposit your Quotation into the Quotation box on the Ground floor, customs House Lower Heregracht, Cape Town.
- Quotations are valid after the closing date for 84 days for thresholds from R2 000 00 up to R1 million.
- 7. The bidder must make provision for exchanges and or changes in sizes where applicable at no additional cost to the Department.

- 8. Failure to comply with product specifications and inability to meet delivery times will render the purchase order to be cancel. If the bidder is a VAT vendor /registered the bidder is required to explicitly state the VAT amount.
- 9. Bidders must include VAT at 15% in their bid offers if VAT Vendor.
- 10. Resolution to sign/resolution of signatures is mandatory in the event where a delegation to sign the bid document to someone other than a director or member or shareholder (where applicable).
- 11. In the event that one or more bidders are equal in all respects the award will be decided by drawing of lots.
- 12. Bidders must ensure that PA 32 is duly completed, failure to complete in full will result to elimination.

### OTHER BID CONDITIONS

- 1. The Department reserves the right to negotiate the offer where it is found not to be market related.
- 2. All goods supplied must be approved by the South African Bureau of Standards (SABS) if applicable.
- The Department reserves the right to request any additional information and
  / or samples of items quoted before mass production is undertaken at no
  cost to the Department if applicable.
- 4. Bidders should have an office/branch in the Western Cape
- 5. Bidders must be registered on the CSD and tax matters should remain compliant throughout the procurement process.
- 6. Due to a high volume of quotations received it is advisable to hand deliver your quotation to ensure receipt thereof.
- Technical enquiries must be directed to the Project Leader as indicated on the PA-03 (GS) and PA-32.
- 8. The Department will contract with the successful bidder with an official order.
- 9. No work may commence without an official Departmental order.



## PA-03 (GS): NOTICE AND INVITATION FOR QUOTATION

# THE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE INVITES BIDDERS FOR THE PROVISION OF THE BELOW GOODS AND SERVICES

	uotatioi escriptio		SUPPLY AND DELIVERY OF LUBRICANTS, FLUEL AND OILS FOR SANAE					
Quote no:			500 019	***************************************	Closing date:	01/12/2023		
С	losing t	ime:	11:00		Validity period:	84 days		
l <b>.1</b> .	Indicate	ria stated here ration:	esponsiveness eunder <u>shall</u> rest	ult in the to	ender offer being di	der. Failure to comply with squalified from further		
1	$\boxtimes$	Only those tell tenders.	nderers who satis	sfy the elig	ibility criteria stated i	n the Tender Data may submit		
2	$\boxtimes$	invitation, fully legibly in non-	y completed eithe erasable ink. (All	er electron as per Sta	ically (if issued in el ndard Conditions of I	date and time specified on the lectronic format), or by writing Fender).		
3	$\boxtimes$	All parts of te required	nder documents	submitted	must be fully comp	leted in ink and signed where		
4		Use of correct	ion fluid is prohib	ited.				
5	$\boxtimes$	Submission of	Submission of PA-32: Invitation to Bid					
6			Submission of record of attending compulsory briefing session.  insert motivation why the tender clarification meeting is declared compulsory					
7		1	Registration on National Treasury's Central Supplier Database.					
8		to the PA32, a Pricing Sche	failure to do so v edule  must be d	will result uly compl	to the quotation bei eted.			
9	$\boxtimes$		id document to			the event where a delegation or or member or shareholder		
10								
11								
12								
1.2	The E	imployer reserve to submit furth	uments where a es the right to req er clarification and	<b>ipplicable.</b> quest furthe d/or docum	r information regardir	nderers may be required to ng the undermentioned criteria. (7) calendar days from request consideration.		
1		PA 15.1 or P Consortia or J	A 15.2 resolution	n of board	l/s of directors / or	ne tender documentation as per PA15.3 Special Resolution of		
2		consortium / jo	f applicable (PA pint venture, auth ortium / joint vent	norising a d	15.2, PA-15.3): Res ledicated person(s) t	olution by the legal entity, or o sign documents on behalf of		

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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Version'3.4



3		Submission of (PA-11): Bidder's disclosure.
4	$\boxtimes$	Submission of (PA 40): Declaration of Designated Groups for Preferential Procurement.
5	$\boxtimes$	Submission of proof of Registration on National Treasury's Central Supplier Database (CSD) or insert the Supplier Registration Number on the form of offer
6	$\boxtimes$	Upon request, submission of a fully completed security clearance application form with supporting documentation and information as required. The security clearance form will be provided by the Employer for projects requiring a security clearance.
7		
8		
9		
10		

1.3. Indicate administrative requirements applicable for specific goals, Tenderers will not be required to submit the below document if not provided in the original tender proposals, Failure to comply with the criteria stated hereunder <a href="mailto:shall">shall</a> result in the tenderer not allocated points for specific goals.

1	$\boxtimes$	Submission of (PA-16): Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022
2	$\boxtimes$	A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Certificate issued by a SANAS accredited service provider

- 2. 80/20 POINTS SCORING SYSTEM WILL BE APPLICABLE FOR THIS BID
- 3. METHOD TO BE USED TO CALCULATE POINTS FOR SPECIFIC GOALS
- 3.1. For procurement transaction with rand value greater than R2 000, 00 and up to R1 Million (Inclusive of all applicable taxes) the specific goals listed in table 1 below are applicable.

Table 1

Serial No	Specific Goals	Preference Points Allocated out of 20	Documentation to be submitted by bidders to validate their claim
1.	An EME or QSE which is at least 51% owned by black people (Mandatory)	10	SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area (Mandatory)	2	<ul> <li>Official Municipal Rates Statement which is in the name of the bidder.</li> <li>Or</li> <li>Any account or statement which is in the name of the bidder.</li> <li>Or</li> </ul>
			<ul> <li>Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder.</li> </ul>

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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3.	An EME or QSE which is at least 51% owned by black women (Mandatory)	4	Lease Agreement which is in the name of the bidder.      SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.
4.	An EME or QSE which is at least 51% owned by black people with disability (Mandatory)	2	<ul> <li>SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.</li> <li>and</li> <li>Medical Certificate indicating that the disability is permanent.</li> <li>Or</li> <li>South African Social Security Agency (SASSA) Registration indicating that the disability is permanent.</li> <li>Or</li> <li>National Council for Persons with Physical Disability in South Africa registration (NCPPDSA).</li> </ul>
5.	An EME or QSE which is at least 51% owned by black youth (Mandatory)	2	ID Copy and SANAS Accredited BBBEE     Certificate or Sworn Affidavit where     applicable.

### 4. COLLECTION OF QUOTATION DOCUMENTS:

All quotations must be completed on the official forms provided with this invitation and completed in ink, preferably black. Completed forms must be delivered to the Department of Public Works and Infrastructure at the following address or email below.

This quotation is subject to the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract. Attached Terms and Conditions should be signed and submitted with the official documents.

The taxes of the successful service provider must be in order, or satisfactory arrangements must be made with the Receiver of Revenue to meet the bidder's tax obligations.

Quotation documents m insert physical addres	ay be collected during working hours on <i>insert date</i> at the following address s insert postal code.
A <b>select</b> pre-bid meeting take place at on	g with representatives of the Department of Public Works and Infrastructure will starting at

### 5. ENQUIRIES

5.1. Technical enquiries may be addressed to:

***************************************			
DPWI Project Manager	V. GUMA	Telephone no:	021 402 2004

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 "Tendere" or "Tenderer".

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Cellular phone no	066 197 6622	Fax no:			
E-mail	vuyolwethu.guma@dpw.gov.za				
5.2. SCM enquiries may	be addressed to:				
SCM Official	N. Mdingi - Dlodlo	Telephone no:	021 402 2037		
Cellular phone no		Fax no:			
E-mail	nonqaba.mdingi@dpw.gov.za	a			

### 6. DEPOSIT / RETURN OF BID DOCUMENTS:

The closing time for receipt of quotation is 11:00 on 01/12/2023.

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

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

All bids must be submitted on the official forms – (not to be re-typed)

QUOTATION DOCUMENTS MAY BE DROPPED AT:  GROUND FLOOR QUOTATION BOX, CUSTOMS HOUSE DEPARTMENT OF PUBLIC WORKS & INFRASTRUCTURE  OR  QUOTATION DOCUMENTS MAY BE POSTED TO: insert postal code	OR	QUOTATION DOCUMENT MAY BE EMAILED TO:  CPT.Quotations@dpw.gov.za	
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### PA 32: INVITATION TO BID PART A

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)										
BID NUMBER: 500 019	CLOSING E		01/11/2		***************************************	SING TIME:	11:00			
DESCRIPTION   SUPPLY AND DE	LIVERY OF	LUBR	ICANT	S FU	EL AND OI	LS FOR S	ANAE			
THE SUCCESSFUL BIDDER WILL BE RE	QUIRED TO FILL	IN AND S	SIGN A W	RITTEN	CONTRACT F	ORM (DPW04	1.1 GS or DPW04.2 GS).			
BID RESPONSE DOCUMENTS MAY BE	DEPOSITED IN	THE BID								
BOX SITUATED AT (STREET ADDRESS)	******			******						
OR DOCTED TO:										
	OR POSTED TO:  QUOTATIONS MUST BE HAND DELIVERED TO QUOTATION BOX GROUND FLOOR									
QUOTATIONS MUST BE HAI	ND DELIVER	ED 10	OUO.	IAII(	DN BOX GF	COUND F	LOOR			
SUPPLIER INFORMATION		· · · · · · · · · · · · · · · · · · ·			<del> </del>					
	<u> </u>	· · · · · · · · · · · · · · · · · · ·			-					
NAME OF BIDDER										
POSTAL ADDRESS										
STREET ADDRESS		-								
TELEPHONE NUMBER	CODE				NUMBER					
CELLPHONE NUMBER		77.	,	****	•					
FACSIMILE NUMBER	CODE	CODE NUMBER			***************************************					
E-MAIL ADDRESS						,				
VAT REGISTRATION NUMBER							***************************************			
	TCS PIN:			OR	CCD No.					
	TOSFIN.		<u>l</u>	UK	CSD No:	<u> </u>				
SIGNATURE OF BIDDER				DATE		WHITE THE PARTY OF				
CAPACITY UNDER WHICH THIS BID IS						I	***************************************			
SIGNED (Attach proof of authority to										
sign this bid; e.g. resolution of directors, etc.)										
directors, etc.)		w.				***************************************				
***************************************	<u> </u>			TOTA	L BID PRICE (1	All				
TOTAL NUMBER OF ITEMS OFFERED					ICABLE TAXES					
BIDDING PROCEDURE ENQUIRIES MAY	BE DIRECTED TO	);	TECHN				CTED TO:			
DEPARTMENT/ PUBLIC ENTITY			CONTA							
CONTACT PERSON					UMBER					
TELEPHONE NUMBER			FACSIN							
FACSIMILE NUMBER			E-MAIL	ADDRE	SS					
E-MAIL ADDRESS	ŀ									

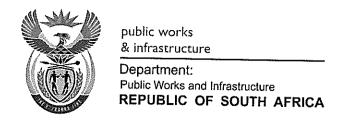
### PART B TERMS AND CONDITIONS FOR BIDDING

### **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).
- 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.

PA-32: Invitation to Bid

1.5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND 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 TENABLE 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)?							
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?							
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 REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 DVE.							
NB: Note								
b c d	the relevant transaction would become subject to VAT by reason of the turnover threshold being exceeded and the bidder becomes liable for VAT.  All delivery costs must be included in the bid price, for delivery at the prescribed destination.  The price that appears on this form is the one that will be considered for acceptance as a firm and final offer.  The grand total in the pricing schedule(s), inclusive of VAT, attached to the bid offer must correlate and be transferred to this form (PA32).							
All a	applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and development levies							



### 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 & DELIVERY)  SANAE ANTARCTICA RESEARCH BASE: SUPPLY AND DELIVERY OF LUBRICANTS, FUEL AND OILS FOR THE SANAE 2023/2024 MAINTENANCE VOYAGE.	QUANTITY	UNIT PRICE (per one item / each) EXCLUDING VAT	QUANTITY
<b>EXAMPLE</b> : (Quantity multiplied by the unit price to get total unit price excluding VAT)  BLACK PENS	6	R2.00 Each EXCLUDING VAT	R12.00 EXCLUDING VAT
Engine spark In 500ml Tin ) Per each	24	R	R
Circuit cleaner Spray (In 500ml) Per each	24	R	R
Spray Penetrating Oil (Q20) In 500ml) Per each	12	R	R
Cold Zink Spray (400ml) Per each	36	R	R
Silicone Spray (500ml) Per each	24	R	R
Kleen Green Multipurpose Cleaner(750ml) Per each	24	R	R
Motor Oil (Engine Oil S5W30)(in 5Ltr) Per each	15	R	R
Metal Cleanser Spray (In 500ml) Per each	12	R	R
Petrol Unleaded (In 25ltr drum) Per each	6	R	R
Diesel (Extra) (In 25Ltr drum) Per each	10	R	R
Grease Removing Cleanser (In 1Ltr bottle) Per each	24	R	R
Valve ease Lubricant (In 500ml) Per each	18	R	R
VAT 15% (If VAT Vendor)			R
TOTAL OFFER (TO BE CARRIED OVER TO THE PA32)			R

NB: FAILURE TO TRANSFER TOTAL OFFER FROM PRICING SCHEDULE TO PA32 WILL RESULT IN ELIMINATION

### PLEASE NOTE:

- 1. Please fill in ALL the prices on the Pricing Schedule
- 2. No late deliveries will be accepted. All deliveries should be delivered between
- 3. the date of receiving the order number to the 07 December 2023 in order to facilitate the Cargo Clearance Procedures; unless written permission was sought from the relevant Team Leader. (Approximate Departure Date: 14 December 2023)
- 4. If written permission was not approved by the relevant Team Leader, all late deliveries will be removed from PWD&I premises, at no cost to the Department.
- 5. Any item delivered incorrectly will be changed on the Suppliers cost and delivered within 24 hours at no cost to the Department.

### 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 Number	Name of State institution
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<u> </u>		

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

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 3 For External Use Effective date 5 July 2022 Version: 2022/03

2.2	Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?
	YES / NO
2.2.′	If so, furnish particulars:
2.3	Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?  YES / NO
221	
2.5.1	If so, furnish particulars:
3 D	
J L	DECLARATION
•	I, the undersigned, (name) in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:
3.1 3.2 3.3	I have read and I understand the contents of this disclosure; I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect; 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
3.4	be construed as collusive bidding. 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
3.6	bid opening or of the awarding of the contract.  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".

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

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

This form has been aligned with SBD4



## PA-16: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

### 1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
  - 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 Preference Points System to be applied

(Tick whichever is applicable).

$\boxtimes$	The applicable preference point system for this tender is the 80/20 preference point system.
	The applicable preference point system for this tender is the 90/10 preference point system.
	Either the <b>90/10 or 80/20</b> preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once
	tenders are received.

- 1.3 Points for this tender shall be awarded for:
- 1.3.1 Price; and
- 1.3.2 Specific Goals
- 1.4 The maximum points for this tender are allocated as follows:

	80/20
PRICE	
SPECIFIC GOALS	
Total points for Price and Specific Goals	100

### 1.5 Breakdown Allocation of Specific Goals Points

1.5.1. For procurement transaction with rand value greater than R2 000, 00 and up to R1 Million (Inclusive of all applicable taxes) the specific goals listed in table 1 below are applicable.

### Table 1

 $\boxtimes$ 

14510 1			
Serial No	Specific Goals	Preference Points Allocated out of 20	Documentation to be submitted by bidders to validate their claim
1.	An EME or QSE which is at least 51% owned by black people (Mandatory)	10	SANAS Accredited BBBEE     Certificate or Sworn Affidavit     where applicable.
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area (Mandatory)	2	Official Municipal Rates     Statement which is in the name     of the bidder.  Or
			Any account or statement which is in the name of the bidder.  Or
			Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder.
			Or
			<ul> <li>Lease Agreement which is in the name of the bidder.</li> </ul>
3.	An EME or QSE which is at least 51% owned by black women (Mandatory)	4	SANAS Accredited BBBEE     Certificate or Sworn Affidavit     where applicable.
4.	An EME or QSE which is at least 51% owned by black people with disability (Mandatory)	2	SANAS Accredited BBBEE     Certificate or Sworn Affidavit     where applicable.

			and
			Medical Certificate indicating that the disability is permanent
			Or
			<ul> <li>South African Social Security Agency (SASSA) Registration indicating that the disability is permanent.</li> </ul>
			Or
44-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-0-			<ul> <li>National Council for Persons with Physical Disability in Sound</li> <li>Africa registration (NCPPDSA)</li> </ul>
5.	An EME or QSE which is at least 51% owned by black youth (Mandatory)	2	<ul> <li>ID Copy and SANAS Accredite BBBEE Certificate or Sworn Affidavit where applicable.</li> </ul>

1.5.2. For procurement transaction with rand value greater than R1 Million and up to R50 Million (Inclusive of all applicable taxes) the specific goals listed in table 2 below are applicable.

### Table 2

Serial No	Specific Goals	Preference Points Allocated out of 20	Documentation to be submitted by bidders to validate their claim
1.	An EME or QSE or any entity which is at least 51% owned by black people (Mandatory)	10	<ul> <li>SANAS Accredited BBBEE         Certificate or Sworn Affidavit             where applicable.     </li> </ul>
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area (Mandatory)	2	Official Municipal Rates     Statement which is in the name     of the bidder.  Or

	To real control of the control of th			Any account or statement which is in the name of the bidder.  Or
ennam.				Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder.  Or
1	The state of the s			Lease Agreement which is in the name of the bidder.
Total Marian Control of Control o	3.	An EME or QSE or any entity which is at least 51% owned by black women (Mandatory)		SANAS Accredited BBBEE     Certificate or Sworn Affidavit     where applicable.
	4.	An EME or QSE or any entity which is at least 51% owned by black people with disability (Mandatory)	2	SANAS Accredited BBBEE     Certificate or Sworn Affidavit     where applicable.
				and
				Medical Certificate indicating that the disability is permanent.
				Or
				<ul> <li>South African Social Security Agency (SASSA) Registration indicating that the disability is permanent.</li> </ul>
				Or
	· · · · · · · · · · · · · · · · · · ·			National Council for Persons with Physical Disability in South Africa registration (NCPPDSA).

5. An EME or QSE or any entity which is at least 51% owned by black youth (Mandatory)	2	<ul> <li>ID Copy and SANAS         Accredited BBBEE Certificate         or Sworn Affidavit where         applicable.     </li> </ul>
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1.5.3. For procurement transaction with rand value greater than R50 Million (Inclusive of all applicable taxes) the specific goals listed in table 3 below are applicable.

NB. The use of one of goal numbers' 4 or 5 is mandatory. The BSC must select either one of the two, but not both.

### Table 3

Serial	Specific Goals	Preference	Documentation to be submitted by
No		Points Allocated out of 10	bidders to validate their claim
1.	An EME or QSE or any entity which is at least 51% owned by black people (Mandatory)	4	SANAS Accredited BBBEE     Certificate or Sworn Affidavit     where applicable.
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to	2	Official Municipal Rates     Statement which is in the name     of the bidder.
***	be done or services to be rendered in that area (Mandatory)		Or
Manager Control of the Control of th			<ul> <li>Any account or statement which is in the name of the bidder.</li> </ul>
			Or
			Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder.
			Or
			<ul> <li>Lease Agreement which is in the name of the bidder.</li> </ul>

- Andrews	3.	An EME or QSE or any entity which is at least 51% owned by black women (mandatory)	2	SANAS Accredited BBBEE     Certificate or Sworn Affidavit     where applicable.
1,440,000	4.	An EME or QSE or any entity which is at least 51% owned by black people with disability (Mandatory)	2	SANAS Accredited BBBEE     Certificate or Sworn Affidavit     where applicable.
MATERIAL	****			and
***				Medical Certificate indicating that the disability is permanent.
				Or
- Annual	ACCUPATION OF THE PROPERTY OF			South African Social Security Agency (SASSA) Registration indicating that the disability is permanent.
				Or
4-8-8-000-1-30	OR			National Council for Persons with Physical Disability in South Africa registration (NCPPDSA).
	5.	An EME or QSE or any entity which is at least 51% owned by black youth (Mandatory)	2	ID Copy and SANAS     Accredited BBBEE Certificate     or Sworn Affidavit where     applicable

- 1.6 Failure on the part of the tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals, if the service provider/ tenderer did not submit proof or documentation required to claim for specific goals will be interpreted to mean that preference points for specific goals are not claimed.
- 1.7 The organ of state reserves the right to require of a service provider/tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

### 2. **DEFINITIONS**

(a) "tender" means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations,

competitive tendering process or any other method envisaged in legislation;

- (b) "price" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) "tender for income-generating contracts" means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) "the Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

### 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

### 3.1.1. THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

# 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

### 3.2.1. POINTS AWARDED FOR PRICE

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

$$Ps = 80\left(1 + rac{Pt-P\,max}{P\,max}
ight)$$
 or  $Ps = 90\left(1 + rac{Pt-P\,max}{P\,max}
ight)$ 

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1,2 and 3 above as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
  - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 4: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system)  (To be completed by the tenderer)
1. An EME or QSE (or any entity for procurement transaction with rand value greater than R1 Million) which is at least 51% owned by black people	10	

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system)  (To be completed by the tenderer)
Located in a specific Local     Municipality or District     Municipality or Metro or     Province area for work to be     done or services to be     rendered in that area	2	
3. An EME or QSE (or any entity for procurement transaction with rand value greater than R1 Million) which is at least 51% owned by black women	4	
4. An EME or QSE (or any entity for procurement transaction with rand value greater than R1 Million) which is at least 51% owned by black people with disability	2	
5. An EME or QSE (or any entity for procurement transaction with rand value greater than R1 Million) which is at least 51% owned by black youth.*	2	

### **DECLARATION WITH REGARD TO COMPANY/FIRM**

Name of company/firm
Company registration number:

### 4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium One-person business/sole propriety Close corporation Public Company Personal Liability Company (Pty) Limited Non-Profit Company State Owned Company [TICK APPLICABLE BOX]

- 4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
  - iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have
    - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

	SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME:	
DATE:	
ADDRESS:	



# PA-40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT

Tender no:

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

Townsteen State   Percentage   Black   Indicate if   Indicate if   Indicate if   Indicate if   Developes   Percentage   Black   Indicate if   Indicate if   Developes   Percentage   Black   Indicate if   Developes   Percentage   Black   Indicate if   Developes   Percentage   Percentage   Black   Indicate if   Developes   Percentage   Percen
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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)

<sup>&</sup>lt;sup>1</sup> EME: Exempted Micro Enterprise <sup>2</sup> QSE: Qualifying Small Business Enterprise



# PA- 40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT

Tender no:

# 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 ന
- 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; ഹ

# Signed by the Tenderer

Date	Signature	Name of representative