

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

THE DEPARTMENT OF PUBLIC WORKS INVITES BIDDERS FOR THE PROVISION OF *OIL & LUBRICANTS*

|                      |  |
|----------------------|--|
| Project description: | <b>SUPPLY &amp; DELIVER OIL &amp; LUBRICANTS FOR HORTICULTURE SECTION: RONDEBOSCH: CAPE TOWN</b> |
|----------------------|--|

|               |           |                  |            |
|---------------|-----------|------------------|------------|
| Quote no:     | RFQ 11814 | Closing date:    | 30/06/2022 |
| Closing time: | 11H00     | Validity period: | 30 days    |

Indicate responsiveness criteria applicable for this bid. Failure to comply with the criteria stated hereunder shall result in the tender offer being disqualified from further consideration:

|     |                                     |   |
|-----|-------------------------------------|---|
| 1.  | <input checked="" type="checkbox"/> | Bid offer must be properly received on the bid closing date and time specified on the invitation, fully completed and signed in ink.  |
| 2.  | <input type="checkbox"/>            | Submission of other compulsory returnable schedules / documents as per (PA-09 (GS)): List of returnable documents.  |
| 3.  | <input type="checkbox"/>            | Compliance to Local Production and Content requirements as per PA36 and Annexure C  |
| 4.  | <input type="checkbox"/>            | Submission of record of attending compulsory virtual bid clarification / site inspection meeting (where attendance of the site inspection is necessary)   |
| 5.  | <input checked="" type="checkbox"/> | Registration on National Treasury's Central Supplier Database (CSD)   |
| 6.  | <input checked="" type="checkbox"/> | Use of correction fluid is prohibited   |
| 7.  | <input checked="" type="checkbox"/> | Compliance with Pre Qualification criteria BBBEE Level 1 or 2 by means of a valid original or valid certified copy of the bidder's BBBEE certificate by the Commissioner of Oaths or a valid original or valid certified copy of the bidder's "Sworn Affidavit" by Commissioner of Oaths as prescribed by the B-BBEE Codes of Good Practice |
| 8.  | <input checked="" type="checkbox"/> | Offer to be carried over to the PA32  |
| 9.  | <input type="checkbox"/>            |   |
| 10. | <input type="checkbox"/>            |   |

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

|    |                                     |  |
|----|-------------------------------------|--|
| 1  | <input type="checkbox"/>            | 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  | <input type="checkbox"/>            | 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  | <input checked="" type="checkbox"/> | Submission of (Revised PA-11): Declaration of Interest and Tenderer's Past Supply Chain Management Practices.  |
| 4  | <input type="checkbox"/>            | Submission of record of attending compulsory virtual bid clarification / site inspection meeting (where attendance of the site inspection is not necessary)  |
| 5  | <input checked="" type="checkbox"/> | Submission of proof of Registration on National Treasury's Central Supplier Database (CSD).  |
| 6  | <input checked="" type="checkbox"/> | <b>PA40</b>  |
| 7  | <input checked="" type="checkbox"/> | <b>PA16</b>  |
| 8  | <input checked="" type="checkbox"/> | <b>Proof that the bidder has a local office / address in the Western Cape in the form of a utility bill or a sworn affidavit</b>   |
| 9  | <input type="checkbox"/>            |  |
| 10 | <input type="checkbox"/>            |  |

**COLLECTION OF BID 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 at the following address or faxed to the fax number 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 bidder must be in order, or satisfactory arrangements must be made with the Receiver of Revenue to meet the bidder's tax obligations. The attached (PA-07) form "Application for Tax Clearance Certificate", must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes.

- Bid documents may be collected during working hours on *insert date* at the following address *insert physical address insert postal code*.
- Bid documents are available for free download on e-Tender portal [www.etenders.gov.za](http://www.etenders.gov.za)
- A non-refundable bid deposit of R            is payable, (Cash only) is required on collection of the bid documents.
- A *select* pre-bid meeting with representatives of the Department of Public Works will take place at *insert address* on *dd/mm/yyyy* starting at *insert time*.

**ENQUIRIES RELATED TO BID DOCUMENTS MAY BE ADDRESSED TO:**

|                            |                         |                      |              |
|----------------------------|-------------------------|----------------------|--------------|
| <b>DPW Project Leader:</b> | MAE JANTJIES            | <b>Telephone no:</b> | 079 872 8631 |
| <b>Cell no:</b>            | 079 872 8631            | <b>Fax no:</b>       |              |
| <b>E-mail:</b>             | mae.jantjies@dpw.gov.za |                      |              |

**DEPOSIT / RETURN OF BID DOCUMENTS:**

The closing time for receipt of bids is **11h00 on 30/06/2022**.


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)

|  |    |   |
|--|----|---|
| <p><b>BID DOCUMENTS MAY BE POSTED TO:</b></p> <p><b>THE DIRECTOR -GENERAL<br/>NATIONAL DEPARTMENT OF PUBLIC WORKS<br/>PRIVATE BAG X 9027<br/>Cape Town<br/>8000</b></p> <p>ATTENTION:<br/><b>PROCUREMENT SECTION: ROOM 942</b></p> | OR | <p><b>DEPOSITED IN THE TENDER BOX AT:</b></p> <p><i>Ground Floor<br/>Customs House<br/>Lower Heerengracht<br/>Cape Town</i></p> |
|--|----|---|

**COMPILED BY:**

|                        |   |          |            |
|------------------------|---|----------|------------|
| MAE Jantjies           |  | PL       | 23/06/2022 |
| Name of Project Leader | Signature   | Capacity | Date       |



## PA 32: INVITATION TO BID PART A

|   |  |               |            |
|---|--|---------------|------------|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>                      |  |               |            |
| BID NUMBER:   | RFQ 11814  | CLOSING DATE: | 30/06/2022 |
|   |  | CLOSING TIME: | 11H00      |
| DESCRIPTION   | SUPPLY & DELIVER OIL & LUBRICANTS FOR HORTICULTURE SECTION |               |            |
| <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (DPW04.1 GS or DPW04.2 GS).</b> |  |               |            |

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

**GROUND FLOOR: PUBLIC CUSTOMES HOUSE PUBLIC WORKS**

**OR POSTED TO:**

**CPT.Quotations@dpw.gov.za DO NOT RETURN TO THE SENDER PLEASE**

**SUPPLIER INFORMATION**

|  |   |  |   |
|--|---|--|---|
| NAME OF BIDDER   |   |  |   |
| POSTAL ADDRESS   |   |  |   |
| STREET ADDRESS   |   |  |   |
| TELEPHONE NUMBER   | CODE  | NUMBER   |   |
| CELLPHONE NUMBER   |   |  |   |
| FACSIMILE NUMBER   | CODE  | NUMBER   |   |
| E-MAIL ADDRESS   |   |  |   |
| VAT REGISTRATION NUMBER  |   |  |   |
|  |   | TCS PIN:   | OR CSD No:  |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]   | <input type="checkbox"/> Yes<br><input type="checkbox"/> No | B-BBEE STATUS LEVEL SWORN AFFIDAVIT  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |
| IF YES, WHO WAS THE CERTIFICATE ISSUED BY?   |   |  |   |
| AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX | <input type="checkbox"/>                                    | AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)           |   |
|  | <input type="checkbox"/>                                    | A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS) |   |
|  | <input type="checkbox"/>                                    | <b>A REGISTERED AUDITOR DETAILS:</b>   |   |
|  |   | NAME:  |   |
|  | REGISTRATION NUMBER:  |  |   |
|  | BUSINESS ADDRESS:   |  |   |
|  | .....   |  |   |
|  | .....   |  |   |
|  | .....   |  |   |
|  | .....   |  |   |
|  | TELEPHONE NUMBER:.....                                      |  |   |
|  | E-MAIL ADDRESS:.....  |  |   |

|  |  |  |  |
|--|--|--|--|
| <b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs&amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b> |  |  |  |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?  | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES ENCLOSE PROOF] | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES ANSWER PART B:3 BELOW] |
| SIGNATURE OF BIDDER  | .....  | DATE   |  |
| CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)   |  |  |  |

|   |  |   |  |
|---|--|---|--|
| TOTAL NUMBER OF ITEMS OFFERED                   |  | TOTAL BID PRICE ('ALL APPLICABLE TAXES)   |  |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO: |  | TECHNICAL INFORMATION MAY BE DIRECTED TO: |  |
| DEPARTMENT/ PUBLIC ENTITY                       |  | CONTACT PERSON                            |  |
| CONTACT PERSON                                  |  | TELEPHONE NUMBER                          |  |
| TELEPHONE NUMBER                                |  | FACSIMILE NUMBER                          |  |
| FACSIMILE NUMBER                                |  | E-MAIL ADDRESS                            |  |
| E-MAIL ADDRESS                                  |  |   |  |

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

|   |
|---|
| <b>1. BID SUBMISSION:</b>   |
| 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.  |
| <b>2. TAX COMPLIANCE REQUIREMENTS</b>   |
| 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-FILEING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.   |
| 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.  |
| 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.   |
| 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.   |

**3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

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

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

**NB:** FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID. AN ORIGINAL OR CERTIFIED COPY OF THE B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE.

**Note Well:**

- a) In respect of non VAT vendors the bidders may not increase the bid price under Section 67(1) of the Value Added Tax Act of 1991 where the relevant transaction would become subject to VAT by reason of the turnover threshold being exceeded and the bidder becomes liable for VAT.
- b) **All delivery costs must be included in the bid price, for delivery at the prescribed destination.**
- c) The price that appears on this form is the one that will be considered for acceptance as ***a firm and final offer***.
- d) 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).
- e) Where there are inconsistencies between the grand total price offer in the pricing schedule(s) and the PA32 price offer, the price offer on the PA32 shall prevail and deemed to be firm and final. No further correspondence shall be entered into in this regard.

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



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## SPECIAL CONDITIONS / MANDATORY BID CONDITIONS

1. Bidders are required to have an office/branch in the Western Cape
2. 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.
3. **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.*
4. 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.
5. In the event an offer in words differs from the offer in figures, the offer in words supercedes the offer in figures.
6. No late, incomplete or quotations with correctional fluid will be accepted.
7. Delivery address is the Tender box on the Ground Floor, Customs House, Lower Heerengracht, Cape Town.
8. Alternatively quotations may be emailed to [CPT.Quotations@dpw.gov.za](mailto:CPT.Quotations@dpw.gov.za)
9. The quotation is valid for 30 days from the closing date.
10. The bidder must make provision for exchanges and or changes in sizes where applicable at no additional cost to the Department.
11. Failure to comply with product specifications & inability to meet delivery times will render the quote non-compliant and will not be evaluated further.
12. If the bidder is a VAT vendor /registered the bidder is required to explicitly state the VAT amount.
13. VAT vendor must include VAT at 15% in their bid offers.

14. 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).
15. The evaluation criteria will be based on price, BBBEE and mandatory bid conditions.
16. In the event that one or more bidders are equal in all respects the award will be decided by drawing of lots.

#### **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.
3. 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 are required to 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.
7. Specification / 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.
10. The successful bidder will be required to post security guards as per the terms of reference (applicable to security quotations only)







## SPECIFICATIONS FOR OILS AND LUBRICANTS FOR HORTICULTURAL MACHINERY

### 1. DESCRIPTION OF SERVICES

Supply and delivery of Oils and lubricants to Horticultural Unit Groote Schuur Estate, Rondebosch.

### 2. SPECIFICATIONS

#### 2.1) SAE 40

- Per 5 Lt. x 3

#### 2.2) Two-stroke engine oil

- Mineral-oil based engine oil
- Lubrication and combustion properties, JASO-FB,ISO-L-EGB
- For high rev air cooled motor
- Fuel/oil ratio – 1:50
- Per 5 Lt. x 10

#### 2.3) Cutter Bar lubricant

- Specially formulated mineral oil lubrication.
- Oil to contain a superlative additive that adheres to rubbing surfaces.
- High viscosity to retain viscometrics even at high operating temperatures.
- Cutterbar 150 is formulated for all hand-held chainsaws
- Per 5 Lt. x 10

#### 2.4) FS Super lube

- High performance gear lubricant for brush cutters and chainsaws.
- Per 5 Lt. x 10

#### 2.5) Multi-Purpose Grease

- NLGONo.2 lithium soap based grease
- Contains EP additive together with rust and oxidation inhibitors
- Designed to reduce wear and friction in general application
- Per 5 kg x 1

#### 2.6) Engine Cleaner

- Be able to clean engine without dismantling
- Per 5 Lt. x 2

#### 2.7) Engine Starter spray

- Fast acting starting solution
- 2-stroke engine safe
- Contains friction proofing lubricant



- Per 375ml x 2

### **2.8) Carburetor Cleaner**

- Be able to clean carburetor without dismantling
- Per 500ml x 2

### **2.9) Super Multipurpose Lubricant (Q20)**

- Super Multipurpose lubricant
- Protects against corrosion
- Stops rust
- Lubricates sticky mechanisms
- Displaces moisture
- Per 300g x 3

### **2.10) SAE 30**

- Per 5 Lt x 3

## **3. GENERAL CONDITIONS**

- 3.1 The Supplier shall provide Oils & lubricants, labour and delivery deemed necessary
- 3.2 Supplier/ staff must be overseen at all times by NDPW Official with suitable Horticultural knowledge. Supplier/ staff may not enter any area which is not clearly work-related.
- 3.3 Supplier should note that service offered must be in strict conformity with the relevant specifications.
- 3.4 Any quotation submitted shall remain valid, irrevocable and open for acceptance by the Department for a period of thirty (30) days from the closing date.

## **4 FAILURE TO COMPLY WITH CONDITIONS & DELAYED EXECUTION**

- 4.1 The department without prejudice to its other rights shall be entitled to cancel an offer:
  - (a) if the supplier fails to deliver any or all of the services within the period(s) specified in the specifications, or within any extension thereof granted by the department;
  - (b) if the supplier fails to perform any other obligation(s) under the contract; or



- (c) if the supplier, in the judgement of the department, has engaged in corrupt or fraudulent practices in competing for or in executing the service.

## 7. OTHER

Inquiries can be directed as follows:

**Specification Enquiries** : Mrs. E J Bessick / Mr. MAE Jantjies  
Tel: (021) 402 2402 / 0798728631



## REVISED PA-11: BIDDER'S DISCLOSURE

### BIDDER'S DISCLOSURE

#### 1. PURPOSE OF THE FORM

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

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

#### 2. Bidder's declaration

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

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

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

<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.

**REVISED PA-11: BIDDER'S DISCLOSURE**

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**

2.2.1 If so, furnish particulars:

.....  
 .....

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

2.3.1 If so, furnish particulars:

.....  
 .....

**3 DECLARATION**

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

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

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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.



### REVISED PA-11: BIDDER'S DISCLOSURE

disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

|                    |                         |
|--------------------|-------------------------|
| .....<br>Signature | .....<br>Date           |
| .....<br>Position  | .....<br>Name of bidder |

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

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

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

**1. GENERAL CONDITIONS**

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

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

1.2.

- a) The value of this bid is estimated to exceed / not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20... preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3. Points for this bid shall be awarded for:

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

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

|  | POINTS     |
|--|------------|
| PRICE  | 80         |
| B-BBEE STATUS LEVEL OF CONTRIBUTOR                       | 20         |
| <b>Total points for Price and B-BBEE must not exceed</b> | <b>100</b> |

1.5. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.





**4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**

1.1. In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

| B-BBEE Status Level of Contributor | Number of points (90/10 system) | Number of points (80/20 system) |
|------------------------------------|---------------------------------|---------------------------------|
| 1                                  | 10                              | 20                              |
| 2                                  | 9                               | 18                              |
| 3                                  | 6                               | 14                              |
| 4                                  | 5                               | 12                              |
| 5                                  | 4                               | 8                               |
| 6                                  | 3                               | 6                               |
| 7                                  | 2                               | 4                               |
| 8                                  | 1                               | 2                               |
| Non-compliant contributor          | 0                               | 0                               |

**5. BID DECLARATION**

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

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

1.1. B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)  
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

1.1. Will any portion of the contract be sub-contracted?

*(Tick applicable box)*

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

7.1.1 If yes, indicate:

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

*(Tick applicable box)*

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

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

| <b>Designated Group: An EME or QSE which is at least 51% owned by:</b> | <b>EME</b><br>√ | <b>QSE</b><br>√ |
|--|-----------------|-----------------|
| Black people   |                 |                 |
| Black people who are youth   |                 |                 |
| Black people who are women   |                 |                 |
| Black people with disabilities   |                 |                 |
| Black people living in rural or underdeveloped areas or townships      |                 |                 |
| Cooperative owned by black people                                      |                 |                 |
| Black people who are military veterans                                 |                 |                 |
| <b>OR</b>  |                 |                 |
| Any EME  |                 |                 |
| Any QSE  |                 |                 |

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

1.1. Name of company/firm:.....

1.2. VAT registration number:.....

1.3. Company registration number:.....

1.4. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

1.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....  
 .....  
 .....

1.6. COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

1.8. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in



paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

WITNESSES

.....

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

Name of Tenderer .....  EME<sup>1</sup>  QSE<sup>2</sup>  Non EME/QSE (tick applicable box)

## 1. LIST ALL PROPRIETORS, MEMBERS OR SHAREHOLDERS BY NAME, IDENTITY NUMBER, CITIZENSHIP AND DESIGNATED GROUPS.

| Name and Surname # | Identity/<br>Passport<br>number<br>and<br>Citizenship## | Percentage<br>owned | Black  | Indicate if<br>youth                                     | Indicate if<br>woman                                     | Indicate if<br>person with<br>disability                 | Indicate if<br>living in rural /<br>under<br>developed<br>area/township | Indicate if<br>military veteran                          |
|--------------------|---|---------------------|--|--|--|--|---|--|
| 1.                 |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2.                 |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3.                 |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4.                 |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 5.                 |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 6.                 |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 7.                 |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 8.                 |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 9.                 |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 10.                |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 11.                |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 12.                |   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No                | <input type="checkbox"/> Yes <input type="checkbox"/> 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 )

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

**2. DECLARATION:**

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

- 1 The information and particulars contained in this Affidavit are true and correct in all respects;
- 2 The Broad-based Black Economic Empowerment Act, 2003 (Act 53 of 2003), Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), the Preferential Procurement Regulations, 2017, National Small Business Act 102 of 1996 as amended and all documents pertaining to this Tender were studied and understood and that the above form was completed according to the definitions and information contained in said documents;
- 3 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;
- 4 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;
- 5 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;

**Signed by the Tenderer**

|                               |                  |
|-------------------------------|------------------|
|                               |                  |
| <b>Name of representative</b> | <b>Signature</b> |
|                               | <b>Date</b>      |