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SPECIAL CONDITIONS / MANDATORY BID CONDITIONS

- 1. 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. All Marquees and scaffolding should be certified and a certificate of compliance (CoC) is issued by an authorised registered individual. Please furnish details of the Rigger or Structural Engineer of authorised person to issue CoC.
- 5. Successful Bidder should be in possession of State Security Clearance. If not, should apply for it, if not success and SP is declined by State Security the Department reserves the right not to award you and to cancel the award immediately.

6. In the event an offer in words differs from the offer in figures on the PA32, the offer in words supersedes the offer in figures on condition that the offer in words is valid amount. Invalid amount will be deemed as non-response.
7. No late, incomplete or quotations with correctional fluid will be accepted.
8. Delivery address is the Tender box on the Ground Floor, Customs House, Lower Heerengracht, Cape Town.
9. Alternatively quotations may be emailed to CPT.Quotations@dpw.gov.za
10. Quotations are valid after the closing date for 30 days for thresholds up to R500 000 and 84 days for thresholds up to R1 million.
11. The bidder must make provision for exchanges and or changes in sizes where applicable at no additional cost to the Department.
12. 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.
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. It is mandatory that bidders must submit certified ID copy and SANAS Accredited BBBEE Certificate or Sworn Affidavit.
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 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.
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.

Notice and Invitation for Quotation: PA-03 (GS)

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

| | | | |
|------------------------|--|------------------|------------|
| Quotation description: | SONA 2023: CITY HALL AND GRAND PARADE PROVISION OF TEMPORARY SPEED CROWD FENCE AND MEDIA SCAFFOLDING | | |
| Quote no: | 300D23 02 | Closing date: | 30/01/2023 |
| Closing time: | 11:00 | Validity period: | 30 days |

1. RESPONSIVENESS CRITERIA

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

| | | |
|----|-------------------------------------|---|
| 1 | <input checked="" type="checkbox"/> | Only those quotations who satisfy the eligibility criteria stated in the quotation document may submit the quotation. |
| 2 | <input checked="" type="checkbox"/> | Quotation offer must be properly received on quotation closing date and time specified on the invitation, fully completed and signed either electronically (if issued in electronic format), or by writing legibly in non-erasable ink. |
| 3 | <input checked="" type="checkbox"/> | Use of correction fluid is prohibited. |
| 4 | <input checked="" type="checkbox"/> | Submission of PA-32: Invitation to Bid |
| 5 | <input type="checkbox"/> | Submission of (PA – 36 and Annexure/s C): Declaration Certificate for Local Production and Content for designated sectors. |
| 6 | <input type="checkbox"/> | Submission of record of attending compulsory virtual bid clarification / site inspection meeting. |
| 7 | <input checked="" type="checkbox"/> | Registration on Central Supplier Database (CSD) |
| 8 | <input checked="" type="checkbox"/> | Submission of duly completed PA-32. Grand total on Pricing scheduled to be carried over to the PA32, failure to do so will result to the bid being disqualified |
| 9 | <input checked="" type="checkbox"/> | <p>For EME or QSE which is at least 51% owned by black people and or women and or youth to validate their claim for points: The bidder must submit ID Copy, SANAS accredited BBBEE certificate or Sworn Affidavit and CSD or CIPC</p> <p>For EME or QSE which is at least 51% owned by people with disabilities to validate their claim for points: The bidder must submit ID Copy, medical certificate and SASSA registration or National Council for persons with physical disability in South Africa registration (NCPD/SA)</p> <p>For EME or QSE located in a specific Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area to validate their claim for points: The bidder must submit ID Copy, office Municipal rates statement or permission to occupy from local chief in case of rural areas (PTO) or lease agreement</p> |
| 10 | <input checked="" type="checkbox"/> | |



Notice and Invitation for Quotation: PA-03 (GS)

1.2. Indicate administrative requirements applicable for this quotation. Suppliers may be required to submit the below documents where applicable.

The Employer reserves the right to request further information regarding the undermentioned criteria. Failing to submit further clarification and/or documentation within three (3) calendar days from request or as specifically indicated, will disqualify the tender offer from further consideration.

| | | |
|---|-------------------------------------|---|
| 1 | <input checked="" type="checkbox"/> | Submission of (PA-11): Bidder's disclosure. |
| 2 | <input checked="" type="checkbox"/> | Submission of (PA-16): Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022 |
| 3 | <input checked="" type="checkbox"/> | Submission of (PA 40): Declaration of Designated Groups for Preferential Procurement. |
| 4 | <input checked="" type="checkbox"/> | Submission of (PA-10): General Condition of Contract. |
| 5 | <input type="checkbox"/> | Specify other responsiveness criteria |
| 6 | <input type="checkbox"/> | Specify other responsiveness criteria |
| 7 | <input type="checkbox"/> | Specify other responsiveness criteria |
| 8 | <input type="checkbox"/> | Specify other responsiveness criteria |

2. Points scoring system applicable for this bid:

| |
|---|
| <input checked="" type="checkbox"/> 80/20 points scoring system |
|---|

Indicate the Price weighting applicable to this bid:

| | Weighting percentage (must add up to 100 %) |
|--------|--|
| Price: | 100% of 80 points |
| Total: | 100% |

3. Method to be used to calculate points for specific goals

| | | |
|-------------------------------------|--|------------------|
| | <u>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 below are applicable.</u> | |
| | 1. An EME or QSE which is at least 51% owned by black people | 10 Points |
| | <u>Documentation to be submitted by bidders to validate their claim for points</u> | |
| <input checked="" type="checkbox"/> | <ul style="list-style-type: none"> • ID Copy (Mandatory) • SANAS Accredited BBBEE Certificate or sworn affidavit where applicable Or • CSD Report Or • CIPC (company registration) | |
| | 2. An EME or QSE which is at least 51% owned by women | 4 Points |



Notice and Invitation for Quotation: PA-03 (GS)

Documentation to be submitted by bidders to validate their claim for points

- ID Copy
- Or
- CSD Report
- Or
- CIPC (company registration)

3. An EME or QSE which is at least 51% owned by people with disabilities **2 Points**

Documentation to be submitted by bidders to validate their claim for points

- ID Copy (Mandatory)
- Medical Certificate
- Or
- South African Social Security Agency (SASSA) registration
- Or
- National Council for Persons with Physical Disability in South Africa registration (NCPDPSA)

4. An EME or QSE which is at least 51% owned by youth **2 Points**

Documentation to be submitted by bidders to validate their claim for points

- ID Copy
- Or
- CSD Report
- Or
- CIPC (company registration)

5. Located in a specific Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area **2 Points**

Documentation to be submitted by bidders to validate their claim for points

- ID Copy (Mandatory)
- Office Municipal Rates Statement
- Or
- Permission To Occupy from local chief in case of rural areas (PTO)
- Or
- Lease Agreement

4. COLLECTION OF QUOTATION DOCUMENTS:

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".

Notice and Invitation for Quotation: PA-03 (GS)

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 may be collected during working hours on *insert date* at the following address *insert physical address insert postal code*.

A *select* pre-bid meeting with representatives of the Department of Public Works and Infrastructure will take place at *insert address* on *dd/mm/yyyy* starting at *insert time*.

5. ENQUIRIES RELATED TO QUATATION DOCUMENTS MAY BE ADDRESSED TO:

| | | | |
|---------------------|----------------|---------------|--------------|
| DPW Project Leader: | LUVUYO RASMENI | Telephone no: | 021 402 2218 |
| Cell no: | | Fax no: | |
| E-mail: | | | |

6. DEPOSIT / RETURN OF BID DOCUMENTS:

The closing time for receipt of quotation is **11:00** on **30/01/2023**.

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)

| | | |
|---|----|---|
| <p>QUOTATION DOCUMENTS MAY BE DROPPED AT:</p> <p>GROUND FLOOR CUSTOMS HOUSE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE</p> <p>OR</p> <p>QUOTATION DOCUMENTS MAY BE POSTED TO :</p> <p>DIRECTOR SUPPLY CHAIN MANAGEMENT NATIONAL DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE PRIVATE BAG X 9027 CAPE TOWN 8000</p> | OR | <p>QUOTATION DOCUMENT MAY BE EMAILED TO:</p> <p><i>Cpt.quotations@dpw.gov.za</i></p> |
|---|----|---|

PA 32: INVITATION TO BID PART A

| | | | | | |
|---|--|---------------|------------|---------------|-------|
| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY) | | | | | |
| BID NUMBER: | RFQ 300D23 02 | CLOSING DATE: | 03/02/2023 | CLOSING TIME: | 11:00 |
| DESCRIPTION | SONA 2023, PROVISION OF TEMPORARY SPEED FENCE AND MEDIA SCAFFOLDING FROM THE 1 ST FEBRUARY 2023 TO 12 FEBRUARY 2023 | | | | |
| THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (DPW04.1 GS or DPW04.2 GS). BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS) | | | | | |

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|--|
| OR POSTED TO: |
| P. O. BOX 9027 CUSTOMS HOUSE; OR BOX AT GROUND FLOOR CUSTOMS HOUSE |

| |
|-----------------------------|
| 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: |
| | | | |
| 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) | R |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO: | | TECHNICAL INFORMATION MAY BE DIRECTED TO: | |
| DEPARTMENT/PUBLIC ENTITY | N Doodlo | CONTACT PERSON | L RASMEI |
| CONTACT PERSON | | TELEPHONE NUMBER | |
| TELEPHONE NUMBER | 021 402 2037 | FACSIMILE NUMBER | 021 402 2218 |
| FACSIMILE NUMBER | | E-MAIL ADDRESS | |
| E-MAIL ADDRESS | | | |

PART B TERMS AND CONDITIONS FOR BIDDING

| |
|---|
| <p>1. BID SUBMISSION:</p> <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE</p> <p>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).</p> <p>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</p> |
|---|

DOCUMENTATION.

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

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

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

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

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

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.

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



public works
& infrastructure

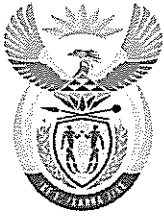
Department:
Public Works and Infrastructure
REPUBLIC OF SOUTH AFRICA

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) | QUANTITY | UNIT PRICE (per one item / each) EXCLUDING VAT | TOTAL UNIT PRICE FOR THE FULL QUANTITY REQUIRED EXCLUDING VAT |
|--|----------|--|--|
| EXAMPLE: (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 |
| SPEED CROWED FENCE AROUND CITY HALL: 1.8m high security fence with vehicular gate around City Hall. Installation Date: Wednesday 1 February 2023 at 06:00 Dismantle Date: Sunday 12 February 2023 from 18:00 | 450m | | |
| SPEED CROWED FENCE AROUND GRANDE PARADE: 1.8m high security fence with vehicular gate around City Hall. Installation Date: Sunday 5 February 2023 at 17:00 Dismantle Date: Thursday 10 February 2023 from 18:00 | 700m | | |
| SPEED CROWED FENCE AROUND CITY HALL STREETS: 1.8m high security fence with vehicular gate around City Hall. Installation Date: Wednesday 8 February 2023 at 19:00 Dismantle Date: Thursday 10 February 2023 from | 2800m | | |



PRICING SCHEDULE

| | | | |
|---|-------------|--|--|
| <p>22:00</p> <p>JERSEY BARRIERS:</p> <p>Hiring and placing of Jersey Barriers at the following streets: Length of Jersey Barrier should be 3m long:</p> <ol style="list-style-type: none"> 1. Cnr. Darling Street and Buitenkant Street: 2. Cnr. Darling Street and Plein Street: 3. Longmarket Street: 4. Corporation Street: 5. Parade Street <p>LOGISTICS:</p> <p>Two (2) trucks with cranes on site for placing of the jersey barriers;</p> <ul style="list-style-type: none"> • To arrive at Darling Street with the required jersey barriers on Thursday 9 February 2023 at 04h00 for placing of the jersey barriers: • To remove the jersey barriers placed in Darling and Longmarket Street on Thursday evening 9 February 2023 after completion of the event – 22:00 • To arrive at Darling Street with the required jersey barriers on Monday 13 February 2023 at 06h00 for placing of the jersey barriers in Darling Street and Longmarket Street; • To remove all the jersey barriers on Wednesday 15 February 2023 after completion of the event as determined by the security cluster. | <p>140m</p> | | |
| <p>MEDIA SCAFFOLDING:</p> <p>Hire and supply assemble media scaffolding for the TV Camera men and issue CoC:</p> <p>Size 4600x2500x2500mhigh Handover Date: Tuesday 07 February 2023 Dismantle Date: Thursday 09 February 2023 at</p> | <p>5</p> | | |



public works
& infrastructure

Department:
Public Works and Infrastructure
REPUBLIC OF SOUTH AFRICA

PRICING SCHEDULE

| | | | |
|--|--|--|----------|
| 22:00 All Health and Safety Compliance Certificates to be provided by 10:00 on 5 February 2023. (Precise dates will be conformed later) | | | |
| VAT 15% (If VAT Vendor) | | | R |
| TOTAL OFFER (TO BE CARRIED OVER TO THE PA32) | | | R |
| TOTAL OFFER AMOUNT IN WORDS (Including VAT if applicable): | | | |
| NB: In the event the amount in words differ to the amount in figures, the amount in words takes precedence | | | |

**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 **To be completed by the organ of state**

(Delete whichever is not applicable for this tender)

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) 80/20 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 (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

| | POINTS |
|--|---------------|
| PRICE | 80 |
| SPECIFIC GOALS | 20 |
| Total points for Price and SPECIFIC GOALS | 100 |

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean

that preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a 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:

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

Where

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:

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

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

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 below 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 1: 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 (90/10 system) (To be completed by the organ of state) | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (90/10 system) (To be completed by the tenderer) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---|---|---|---|
| An EME or QSE which is at least 51% owned by black people | | 10 Points | | |
| An EME or QSE which is at least 51% owned by women | | 4 Points | | |
| An EME or QSE which is at least 51% owned by people with disabilities | | 2 Points | | |
| An EME or QSE which is at least 51% owned by youth | | 2 Points | | |
| Located in a specific Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area | | 2 points | | |
| Total Points | | 20 Points | | |
| | | | | |

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. 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:

Name of Tenderer

EME¹
 QSE²
 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/ 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 |
|--------------------|---|------------------|--|--|--|--|--|--|
| 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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <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)

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:

- 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

| | |
|-------------------------------|------------------|
| | |
| Name of representative | Signature |
| | Date |