



public works  
& infrastructure

Department:  
Public Works and Infrastructure  
**REPUBLIC OF SOUTH AFRICA**

## DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE DURBAN REGIONAL OFFICE

**REFERENCE NUMBER – DBNQ26/08/08**  
**REF 19/2/3/2/12/1045**

**SERVICE DESCRIPTION : EZAKHENI MAGISTRATE COURT: DEEP  
CLEANING SERVICE FOR FLOORS, WINDOWS GLASS AND DOORS**

**SUBMITTED BY:**

Company Name: \_\_\_\_\_

CSD registration: \_\_\_\_\_

**ADVERT DATE: 11/ 08/2026**  
**SITE MEETING DATE: 14/08/2026:**  
**VENUE: EZAKHENI MAGISTRATE COURT: TIME: 12:00**  
**CLOSING DATE: 19/08/2026 TIME: @11:00**  
**Box Number 16 – 157 Monty Naicker Street**

| TECHNICAL ENQUIRIES                                                                                                                                    | OTHER ENQUIRIES                                                                                                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| Name: THANDEKA FORTUNATE MKHIZE<br>Contact number: 083 569 1481<br>Email: <a href="mailto:fortunate.mkhize@dpw.gov.za">fortunate.mkhize@dpw.gov.za</a> | Name : NOMSA E SHABALALA<br>Tel no. : 031 314 7030/031 314 7042<br>Email : <a href="mailto:nomsa.shabalala@dpw.gov.za">nomsa.shabalala@dpw.gov.za</a> |



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Department:  
Public Works and Infrastructure  
REPUBLIC OF SOUTH AFRICA

Private Bag X54315, DURBAN 4000 Int. Code: +27 31 Tel: 314 7000 website: [www.publicworks.gov.za](http://www.publicworks.gov.za)  
Supply Chain Management:

### **REQUEST FOR QUOTATION**

You are hereby invited to submit a quotation for the supply and delivery of the following service to be rendered at EZAKHENI MAGISTRATE COURT REF: 19/2/3/2/12/1045 DBNQ26/08/08

Bid response documents to be deposited in the bid box at: **National Department of Public Works and Infrastructure: 157 Monty Naicker Road, Durban**

| Item | Description                                                                          | Quantity / Period |
|------|--------------------------------------------------------------------------------------|-------------------|
| 1    | EZAKHENI MAGISTRATE COURT: DEEP CLEANING SERVICE FOR FLOORS, WINDOWS GLASS AND DOORS | 84 DAYS           |

**CLOSING DATE: 08/08/2026, CLOSING TIME 11:00AM**

**NB: No late documents will be accepted.**

Kindly submit your quotation by fully completing the attached bid document and bill of quantities or specifications attached in hereunder, and clearly indicate the delivery period and the validity period of your quotation, Kindly also clearly indicates if you price includes or excludes VAT. ***"You may claim VAT only if you are a VAT Vendor"***.

### **TERMS AND CONDITIONS**

- If a supplier fails to deliver any or all goods or fails to deliver the required services within the specified period on the **order/ Contract or appointment letter** the Department of Public Works and Infrastructure may impose a penalty and further deduct from the order / contract a sum of the delayed goods or unperformed services, or terminate the contract in part or in whole.
- The Department of Public Works and Infrastructure quotation documents must be fully completed, signed by the bidder and bear the signature of witnesses and be forwarded to the aforementioned physical address or email, failure to comply with these requirements will result in the quotation being disregarded.

Yours Faithfully

SIGNATURE:

DATE: 11/08/2026

For: National Department of Public Works and Infrastructure

### PRICING SCHEDULE – FIRM PRICES (PURCHASES)

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

|                             |                   |
|-----------------------------|-------------------|
| Name of bidder: .....       | Bid number:DBNQ26 |
| Closing Time : <b>11:00</b> | Closing date:     |

OFFER TO BE VALID FOR **84** DAYS FROM THE CLOSING DATE OF BID.

| ITEM                               | QUANTITY | DESCRIPTION | BID PRICE IN RSA CURRENCY |
|------------------------------------|----------|-------------|---------------------------|
| ** (ALL APPLICABLE TAXES INCLUDED) |          |             |                           |

| No. | DESCRIPTION                                                                       | TOTAL COSTS ONCE OFF SERVICE. |
|-----|-----------------------------------------------------------------------------------|-------------------------------|
| 1.  | TOTAL COST FOR CARPETED FLOORS                                                    | R.....                        |
| 2.  | TOTAL COST FOR TILED FLOORS                                                       | R.....                        |
| 3.  | TOTAL COST WINDOWS/GLASS DOOR ETC                                                 | R.....                        |
| 4   | TOTAL COST FABRIC CHAIRS                                                          | R.....                        |
| 5.  | <b>TOTAL COST BEFORE SAFETY FILE, VAT AND PROFIT</b>                              | <b>R.....</b>                 |
| 6.  | ADD SAFETY FILE COST                                                              | <b>R.....</b>                 |
| 7.  | <b>ADD PROFIT</b>                                                                 | <b>R.....</b>                 |
| 8.  | ADD VAT @ 15%                                                                     | <b>R.....</b>                 |
| 9.  | <b>GRAND TOTAL (BID PRICE IN RSA CURRENCY WITH ALL APPLICABLE TAXES INCLUDED)</b> | <b>R.....</b>                 |

- |   |                                                  |                          |
|---|--------------------------------------------------|--------------------------|
| - | Does the offer comply with the specification(s)? | *YES/NO                  |
| - | If not to specification, indicate deviation(s)   | .....                    |
| - | Period required for delivery                     | .....                    |
|   |                                                  | *Delivery: Firm/not firm |
| - | Delivery basis                                   | .....                    |

**Note:** All delivery costs must be included in the bid price, for delivery at the prescribed destination.

\*\* "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

## SPEC AND PRICING SCHEDULE

### EZAKHENI COURT

- NB:** 1. THIS SECTION MUST BE COMPLETED IN FULL AND IS TO BE SUBMITTED TOGETHER WITH THE BID.
2. FAILURE TO COMPLETE THIS SECTION WILL RESULT IN DISQUALIFICATION FROM THE BIDDING PROCESS.

| NO | DESCRIPTION                                                                                                                                                                                                         | QTY               | RATE | COST |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------|------|
| 01 | All carpeted floors in the building to be deep cleaned. <ul style="list-style-type: none"><li>Necessary equipment and detergent to ensure that carpet is clean, free of stains and perfumed.</li></ul>              | 750m <sup>2</sup> | R    | R    |
| 02 | All floor tiled areas in the building to be deep cleaned. <ul style="list-style-type: none"><li>Necessary equipment and detergent to ensure that floors are sparkling clean, polished and free of stains.</li></ul> | 978m <sup>2</sup> | R    | R    |
| 03 | Deep cleaning of glass door, windows, toilet sinks couch and showers in the building. <ul style="list-style-type: none"><li>Necessary equipment and detergent to ensure its clean.</li></ul>                        | 40                | R    | R    |
| 04 | Removal of stains on fabric chairs. <ul style="list-style-type: none"><li>Necessary equipment and detergent to ensure its clean.</li></ul>                                                                          | 53                | R    | R    |

## 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: | <b>JUSTICE: EZAKHENI COURT : ONCE OFF - PROVISIONING OF DEEP CLEANING OF FLOORS AND FABRIC CHAIRS.</b> |                  |         |
| Quote no:              | DBNQ26                                                                                                 | Closing date:    |         |
| Closing time:          | 11H00                                                                                                  | Validity period: | 84 days |

### 1. RESPONSIVENESS CRITERIA

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

|    |                                     |                                                                                                                                                                                                                                                                        |
|----|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | <input checked="" type="checkbox"/> | Only those tenderers who satisfy the eligibility criteria stated in the Tender Data may submit tenders.                                                                                                                                                                |
| 2  | <input checked="" type="checkbox"/> | Tender offer must be properly received on the tender closing date and time specified on the invitation, fully completed either electronically (if issued in electronic format), or by writing legibly in non-erasable ink. (All as per Standard Conditions of Tender). |
| 3  | <input checked="" type="checkbox"/> | All parts of tender documents submitted must be fully completed in ink and signed where required                                                                                                                                                                       |
| 4  | <input checked="" type="checkbox"/> | Use of correction fluid is prohibited.                                                                                                                                                                                                                                 |
| 5  | <input type="checkbox"/>            | Submission of PA-32: Invitation to Bid                                                                                                                                                                                                                                 |
| 6  | <input checked="" type="checkbox"/> | Submission of record of attending compulsory briefing session.<br><b><i>insert motivation why the tender clarification meeting is declared compulsory</i></b>                                                                                                          |
| 7  | <input checked="" type="checkbox"/> | Registration on National Treasury's Central Supplier Database.                                                                                                                                                                                                         |
| 8  | <input checked="" type="checkbox"/> | <b><i>Submission of a copy of BCCCI certificate, valid as at the time of closing (subject to verification)</i></b>                                                                                                                                                     |
| 9  | <input checked="" type="checkbox"/> | <b><i>Submission of fully completed Price Schedule ( SBD 3.1)</i></b>                                                                                                                                                                                                  |
| 10 | <input checked="" type="checkbox"/> | <b><i>Submission of appointment letter/ order payment</i></b><br><b><i>&amp;</i></b><br><b><i>Submission of completion letter indicating minimum value of R 30 000.00 or above of deep cleaning of floors that was successfully done by the company .</i></b>          |
| 11 | <input type="checkbox"/>            |                                                                                                                                                                                                                                                                        |
| 12 | <input type="checkbox"/>            |                                                                                                                                                                                                                                                                        |

1.2. Indicate administrative requirements applicable for this tender. Tenderers 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 seven (7) calendar days from request or as specifically indicated, will disqualify the tender offer from further consideration.

|   |                                     |                                                                                                                                                                                                              |
|---|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | <input checked="" 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 checked="" 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 (PA-11): Bidder's disclosure.                                                                                                                                                                                                            |
| 4  | <input checked="" type="checkbox"/> | Submission of (PA 40): Declaration of Designated Groups for Preferential Procurement.                                                                                                                                                                  |
| 5  | <input checked="" type="checkbox"/> | 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  | <input type="checkbox"/>            | 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  | <input checked="" type="checkbox"/> | <b>Submit letter of good standing with Workman's Compensation (COIDA).</b>                                                                                                                                                                             |
| 8  | <input checked="" type="checkbox"/> | <b>Submission of PA-32 Invitation to Bid</b>                                                                                                                                                                                                           |
| 9  | <input type="checkbox"/>            | <b>Specify other responsiveness criteria</b>                                                                                                                                                                                                           |
| 10 | <input type="checkbox"/>            | <b>Specify other responsiveness criteria</b>                                                                                                                                                                                                           |

**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 shall result in the tenderer not allocated points for specific goals.**

|   |                                     |                                                                                                                                                                                          |
|---|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | <input checked="" type="checkbox"/> | Submission of (PA-16): Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022                                                                            |
| 2 | <input checked="" type="checkbox"/> | 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                                    | <ul style="list-style-type: none"> <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                                     | <ul style="list-style-type: none"> <li>Official Municipal Rates Statement which is in the name of the bidder.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>Any account or statement which is in the name of the bidder.</li> </ul> <p>Or</p> |



|    |                                                                                       |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----|---------------------------------------------------------------------------------------|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                                                                       |   | <ul style="list-style-type: none"> <li>Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <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 | <ul style="list-style-type: none"> <li>SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 4. | An EME or QSE which is at least 51% owned by black people with disability (Mandatory) | 2 | <ul style="list-style-type: none"> <li>SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>Medical Certificate indicating that the disability is permanent.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>South African Social Security Agency (SASSA) Registration indicating that the disability is permanent.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>National Council for Persons with Physical Disability in South Africa registration (NCPDPSA).</li> </ul> |
| 5. | An EME or QSE which is at least 51% owned by black youth (Mandatory)                  | 2 | <ul style="list-style-type: none"> <li>ID Copy and SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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

☒ A **compulsory** pre-bid meeting with representatives of the Department of Public Works and Infrastructure will take place at **t** on **dd/mm/yyyy** starting at .

#### 5. ENQUIRIES

5.1. Technical enquiries may be addressed to:

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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For Internal Use  
Business General

Effective date: July 2023

Version:3.4

|                             |                             |                      |              |
|-----------------------------|-----------------------------|----------------------|--------------|
| <b>DPWI Project Manager</b> | Thandeka Mkhize             | <b>Telephone no:</b> | 031 314 7264 |
| <b>Cellular phone no</b>    | 083 569 1481                | <b>Fax no:</b>       |              |
| <b>E-mail</b>               | Fortunate.Mkhize@dpw.gov.za |                      |              |

5.2. SCM enquiries may be addressed to:

|                          |  |                      |  |
|--------------------------|--|----------------------|--|
| <b>SCM Official</b>      |  | <b>Telephone no:</b> |  |
| <b>Cellular phone no</b> |  | <b>Fax no:</b>       |  |
| <b>E-mail</b>            |  |                      |  |

## 6. DEPOSIT / RETURN OF BID DOCUMENTS:

The closing time for receipt of quotation is **11:00** on **insert date**.

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>QUOTATION DOCUMENTS MAY BE DROPPED AT:</b></p> <p><i>Corner of Dr Prixley Ka Seme and Samora Machel Street, Durban, 4000</i></p> <p><b>OR</b></p> <p><b>QUOTATION DOCUMENTS MAY BE POSTED TO :</b></p> <p><i>Private Bag X 54315</i></p> | <p><b>OR</b></p> | <p><b>QUOTATION DOCUMENT MAY BE EMAILED TO:</b></p> <p><i>insert e-mail address</i></p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------|





## **SITE INSPECTION MEETING CERTIFICATE**

|                   |                                                                                                                  |                  |                     |
|-------------------|------------------------------------------------------------------------------------------------------------------|------------------|---------------------|
| Project Title     | <b>JUSTICE: EZAKHENI COURT: ONCE OFF - PROVISIONING OF DEEP CLEANING OF FLOORS, WINDOWS &amp; FABRIC CHAIRS.</b> |                  |                     |
| Tender no         | DBNQ26/                                                                                                          | Reference number | 19/2/3/2/12/12/1045 |
| Site meeting date |                                                                                                                  | Time :           |                     |
| Closing date      |                                                                                                                  | Time : 11h00 a.m |                     |

This is to certify that I.....representing the company of ..... on the site visited at.....on the date.....

I have made myself familiar with all local conditions likely to influence the work and cost thereof. I further certify that I am satisfied with the description of the work and explanations given at the site inspection meeting and that I understand perfectly the work to be done, as specified and implied, in execution of this contract.

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

|                                    |                  |             |
|------------------------------------|------------------|-------------|
|                                    |                  |             |
| <b>Name of NDPW Representative</b> | <b>Signature</b> | <b>Date</b> |



## 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 |
|-----------|-----------------|---------------------------|
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |

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



- 2.2 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.
- 3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

<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



**public works**

Department:  
Public Works  
REPUBLIC OF SOUTH AFRICA

**TENDER DBNQ26**

**RETURNABLE DOCUMENTS**

**AND**

**TERMS OF REFERENCE**

**FOR THE**

---

**APPOINTMENT OF SERVICE PROVIDER**

**TO**

**RENDER DEEP CLEANING**

---

**AT EZAKHENI COURT**

**APPOINTMENT OF A SERVICE PROVIDER FOR A ONCE OFF DEEP CLEANING SERVICES AT EZAKHENI COURT**

## 1. INTRODUCTION

The Department of Public Works (DPW) invites bids for the provision of deep cleaning service at specified premises occupied by, or under the control of the Department of Public works and infrastructure.

## 2. BACKGROUND

The Department Of Public Works and Infrastructure intends to outsource the Deep Cleaning Services, to a Service Provider, at Maphumulo Court. During a deep cleaning process a Service Provider will take a fully responsibilities for all risks, including management/servicing of cleaning equipment, management of cleaning material.

## 3. SUBMISSION REQUIREMENTS

3.1 Bidders must be registered with Department of Labour – COIDA

3.2 Bidders must be registered with the **Central Supplier Database**, a copy of which must be submitted with their bid documents.

3.3 Bidders must comply strictly with the Basic Conditions of Employment Act (BCEA), Act 75 of 1997, as amended and any applicable sectoral determination in regard to salaries and wages on contract cleaning services.

## 4. CONTRACTUAL ASPECTS

4.1 The terms of this specification and all contracts emanating therefrom will be subject to the General Conditions of Contract issued in accordance with Chapter 16A of the Treasury Regulations published in terms of the Public Finance Management Act, 1999 (Act 1 of 1999).

4.2 Where, however, the Special Conditions of Contract are in conflict with the General Conditions of Contract, the Special Conditions of Contract shall prevail.

4.3 The bid document, together with the specifications contained in this document, shall constitute part of the Contract.

4.4 Bidders shall not perform any work or render any services in terms of the Contract unless in receipt of a written instruction to this effect by the Department.

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



## 5. WORK SCHEDULE

- 5.1 The official working hours for this contract, will be from 06:00 to 16:00 (for 5 days only)
- 5.2 The service required in terms of this bid will be for the weekend only, including any Public Holiday (or arrangements made with client on site) Absence from work must be managed internally by the successful bidder and not hamper service delivery.

## 6. MINIMUM REQUIREMENTS

- 6.1 Bidders need to take account of the cleaning standards and norms as per **Schedule A** which must be applied during the course of the services.
- 6.2 Bidders must indicate compliance or non-compliance in Schedule A on a paragraph basis. Indicate compliance with the relevant paragraph by marking the **YES** box and non-compliance by marking the **NO** box. Bidders must clearly state if a deviation from these requirements are offered and the reason therefore. If an explanatory note is provided, the paragraph reference must be attached as an appendix to this part of the bid submission. Answering questions or supplying detail by referring to other sections will not be accepted. Should bidders fail to indicate compliance to the requirements, DPW will assume that the bidder is not in compliance or agreement with the statement(s) as specified in the bid and the bid will be eliminated from further evaluation.

## 7. NATURE AND SCOPE OF SERVICES TO BE RENDERED

- 7.1 The Scope of work is as per **Schedule B** which is mandatory tasks and associated deliverables in normal working hours.
- 7.2 Thereafter, only qualifying bids are evaluated in terms of the 80/20 preference points system, where the 80 points will be used for price and the 20 points are awarded to the bidder for attaining B-BBEE status level.

## 8. EVALUATION METHODOLOGY

- 8.1 Bids will be subjected to the responsiveness criteria as per the PA-01 form to determine which bid responses are compliant or non-compliant with the bid specification and requirements issued by the Department as part of the bid process.
- 8.2 Thereafter, only qualifying bids are evaluated in terms of the **80/20 preference points system**, where the **80 points** will be used for price and the **20 points** are awarded to the bidder for attaining B-BBEE status level contributor in accordance with the table depicted on the PA-01.



## 9. PRICING

- 8.1 Bidders must submit details regarding the bid price for the services on the Pricing **Schedule C** which must be submitted together with the bid document.
- 8.2 The prices quoted must be firm for the duration of the contract and it expected that bidders will cover the risk of price increases in the composition of pricing Structure.
- 8.3 It is an express requirement of this invitation to bid that the bidders provide some transparency in respect to their pricing approach. In this regard, bidders must indicate the basis on which they have calculated their pricing by completing all aspects of the Pricing Schedule form.

## 10. SPECIFICATIONS & STANDARDS

- 10.1 Unless otherwise specified, the products to be utilised under this contract must comply with the relevant standards of the South African Bureau of Standards (SABS).
- 10.2 The Department may request samples of the products, which must be provided as soon as possible upon request.

## 11. ORDERS

- 10.1 This specification and other submitted bid documents and the signed Offer and Acceptance will constitute the Contract between the successful bidder and the Department.
- 10.2 An Official Order will be issued to the successful bidder indicating the quoted amount.

## 12. PAYMENTS

- 11.1 Payment will be made within 30 days on submission of an **Original Invoice** for the services rendered.
- 11.2 Invoice and delivery notes must be placed in a sealed envelope addressed to **The Department of Public Works** and deposited in the invoice boxes provided on the ground floor Public Works Building Coner Aliwal and West Street.
- 11.3 The original invoice must indicate / include the Order Number, contractor's banking details, full company name, SARS Income Tax Number, VAT Number (where vendor is registered) and signature of the contractor.
- 11.4 The original invoice must be submitted within three (03) working days after completion of work.

- 11.5 Payment shall be made by bank transfer into the successful bidder's bank account within 30 days after receipt of an acceptable, original and valid tax invoice.
- 11.6 The successful bidder shall be responsible for accounting to the appropriate authorities for its income tax, VAT, or other moneys required to be paid in terms of the applicable law.

### **13. DISCLAIMER**

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

### **14. ABSENCE OF OBLIGATION**

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

### **15. DEFAULT / BREACH OF CONTRACT AND CANCELLATION OF THE CONTRACT**

- 15.1 In case where the successful bidder fails to commence with the contracted work/service within seven (7) days of receiving an official notification the Department may cancel the contract.
- 15.2 The Department reserves the right to terminate the contract in the event of the contractor failing to comply with applicable statutory obligations.
- 15.3 The Department reserves the right to terminate the contract in the event of persistent and unresolved complaints regarding poor service delivery from the user Departments.
- 15.4 Notwithstanding any other provision contained herein the Department shall be entitled to terminate this contract in the event of at least three written notifications during the currency of this contract having been furnished to the contractor requiring the latter to remedy his / her default.
- 15.5 For purposes of this contract a "written notification" shall include a notification transmitted by e-mail or facsimile.

## 16. OTHER

Inquiries can be directed as follows:

**Bid Enquiries** :

**Specification Enquiries** : Ms. T. Mkhize  
Tel: 031 314 7264

### SCHEDULE A

#### CLEANING STANDARDS AND NORMS

| #  | REQUIREMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                         | COMPLY |    |                              |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|----|------------------------------|
|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                      | YES    | NO | IF "NO", INDICATE DEVIATIONS |
| 1. | <b><i>Cleaning Detergents</i></b> <ul style="list-style-type: none"> <li>Ammoniated liquid detergent cleaners shall comply with SABS 1225</li> <li>Acidic water bowl cleaner in powder or granule form shall comply with SABS 1256</li> <li>Liquid acidic cleaner for sanitary ware shall comply with SABS 1257</li> </ul>                                                                                                                           |        |    |                              |
| 2. | <b><i>Disinfections</i></b> <ul style="list-style-type: none"> <li>Disinfectant liquids of the coal tar type shall comply with SABS 47</li> <li>Disinfectant containing stabilised chlorine shall comply with SABS 643</li> <li>Detergent disinfectants based on stabilised inorganic chlorine compound shall comply with SABS 1032</li> <li>Disinfectants used for automatic dispensers to toilets and urinals shall comply with CKS 459</li> </ul> |        |    |                              |
| 5. | <b><i>Carpets</i></b> <ul style="list-style-type: none"> <li>All carpets must be vacuumed, cleaned daily with industrial standard equipment</li> </ul>                                                                                                                                                                                                                                                                                               |        |    |                              |
| 6. | <b><i>Dusting, Wiping, Clean, etc.</i></b> <ul style="list-style-type: none"> <li>Wipe all surfaces areas with a clean damp cloth</li> </ul>                                                                                                                                                                                                                                                                                                         |        |    |                              |
| 7. | <b><i>Overall Requirements</i></b> <ul style="list-style-type: none"> <li>Provide adequate vacuum cleaners, brooms, mops, dusters, cloths, detergents and cleaning trolleys</li> <li>Attached list of proposed equipment to be used</li> <li>Attached Organogram indicating the proposed team for this contract</li> </ul>                                                                                                                           |        |    |                              |
| 8. | <b><i>Personnel Requirement</i></b>                                                                                                                                                                                                                                                                                                                                                                                                                  |        |    |                              |

Justice: Ezakheni Court: file no. 19/2/3/2/12/1045 : Deep cleaning of carpets, floor tiles, windows and glass door .

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Any reference to the word "contractor" herein or in any other documentation shall be construed to have the same meaning as the word "supplier".

|           |                                                                                                                                                                                                      |  |  |  |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
|           | o Conduct business in a courteous and professional manner                                                                                                                                            |  |  |  |
|           | o Ensure that all personnel working under this contract are in good health and pose no risk to any DPW employees                                                                                     |  |  |  |
|           | o Provide all personnel working under this contract with uniforms, which state the name of the Service Provider and that can be clearly identified                                                   |  |  |  |
|           | o Ensure that all personnel under this contract are adequately trained prior to the commencement of the contract                                                                                     |  |  |  |
|           | o Ensure that replacement staff is available should the need arise                                                                                                                                   |  |  |  |
|           | o Ensure that DPW is informed of any removal and replacement of personnel                                                                                                                            |  |  |  |
|           | o All personnel must be SA Citizens and DPW reserves the right to validate citizenship                                                                                                               |  |  |  |
| <b>9.</b> | <b>General Conditions</b>                                                                                                                                                                            |  |  |  |
|           | o Equipment brought onto or used on site will be in compliance with the Occupational Health and Safety Act and any Regulations promulgated in terms of this Act and the standard instructions of DPW |  |  |  |
|           | o Provide all personnel working under this contract with adequate Personnel Protective Equipment (PPE) and clothing and to ensure these items are worn at all times                                  |  |  |  |
|           | o DPW will not accept responsibility for any damages suffered by the Service Provider or their personnel for the duration of the contract                                                            |  |  |  |
|           | o DPW will not accept responsibility for accounts / expenses incurred by the Service Provider that was not agreed upon by the contracting parties                                                    |  |  |  |
|           | o All cleaning equipment such as brooms, mops, cloths must be cleaned with an applicable disinfectant on a daily basis                                                                               |  |  |  |

## SCHEDULE B SCOPE OF WORK

**1. The Service Provider has to provide the following equipment;**

- (a) Carpet Cleaning Machines (Dry & Wet)**
- (b) Vacuum Cleaners**
- (c) Floor Polish machine**
- (d) All the necessary chemicals required to execute the work**

| DESCRIPTION                                                                                         | FREQUENCY |
|-----------------------------------------------------------------------------------------------------|-----------|
| <b>OFFICES, WAITING AREAS, BOARDROOMS, CUBICLES, COURT ROOMS, PASSAGES, TOILETS, CORRIDORS ETC.</b> |           |
| Carpet Floor Covering:                                                                              |           |
| o Vacuum carpets                                                                                    |           |
| o Spot clean marks                                                                                  |           |
| o Deep cleaning carpets                                                                             |           |
| o Deep cleaning of high traffic areas                                                               |           |
| Curtains & Blinds:                                                                                  |           |
| o Wipe and dust blinds                                                                              |           |
| o Vacuum curtains                                                                                   |           |
| Dust / wipe blinds and vacuum curtains (if applicable)                                              |           |
| Wooden Floor Covering:                                                                              |           |
| o Deep cleaning wooden floors with wood floor polish cleaner                                        |           |
| o Spot clean marks                                                                                  |           |
| o Apply wood floor polishing sealant                                                                |           |
| Tiled Floors Covering:                                                                              |           |
| o Spot clean marks                                                                                  |           |
| o Deep cleaning tiled floors                                                                        |           |
| o Polish all tiled floors                                                                           |           |

**SCHEDULE C**  
**PRICING SCHEDULE**

**EZAKHENI COURT**

- NB:** 1. THIS SECTION MUST BE COMPLETED IN FULL AND IS TO BE SUBMITTED TOGETHER WITH THE BID.
2. FAILURE TO COMPLETE THIS SECTION WILL RESULT IN DISQUALIFICATION FROM THE BIDDING PROCESS.

| NO               | DESCRIPTION                                                                                                                                                                                                                                                                 | QTY                | RATE | COST     |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------|----------|
| 01               | All carpeted floors in the building to be deep cleaned.<br><br><ul style="list-style-type: none"> <li>Necessary equipment and detergent to ensure that carpet is clean, free of stains and perfumed.</li> </ul>                                                             | 750 m <sup>2</sup> | R    | R        |
| 02               | All vinly tiled & cement areas in the building to be deep cleaned: offices, passages, toilets & passages<br><br><ul style="list-style-type: none"> <li>Necessary equipment and detergent to ensure that floors are sparkling clean, polished and free of stains.</li> </ul> | 978 m <sup>2</sup> | R    | R        |
| 03               | Glass door window/window/toilet sink/shower .<br><ul style="list-style-type: none"> <li>Necessary equipment and detergent to ensure that are clean.</li> </ul>                                                                                                              | 40                 | R    | R        |
| 04               | Removal of stains on fabric chairs<br><ul style="list-style-type: none"> <li>Necessary equipment and detergent to ensure that are clean.</li> </ul>                                                                                                                         | 53                 | R    | R        |
| <b>Sub Total</b> |                                                                                                                                                                                                                                                                             |                    |      | <b>R</b> |

Justice: Ezakheni Court: file no. 19/2/3/2/12/1045 : Deep cleaning of carpets, floor tiles, windows and glass door .

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Any reference to the word "contractor" herein or in any other documentation shall be construed to have the same meaning as the word "supplier".





**PA-14: MEDICAL CERTIFICATE FOR THE CONFIRMATION OF  
PERMANENT DISABLED STATUS**

|                         |                                                                                             |                      |                         |
|-------------------------|---------------------------------------------------------------------------------------------|----------------------|-------------------------|
| <b>Project title:</b>   | <b>JUSTICE : EZAKHENI : ONCE OFF PROVISIONING OF DEEP CLEANING OF FLOORS &amp; WINDOWS.</b> |                      |                         |
| <b>Tender / Bid no:</b> | <b>DBNQ26</b>                                                                               | <b>Reference no:</b> | <b>19/2/3/2/12/1045</b> |

I, \_\_\_\_\_ (surname and name),  
 identity number, \_\_\_\_\_ do hereby declare that I am a registered medical  
 practitioner, with my practice number being \_\_\_\_\_, practising at  
 \_\_\_\_\_ (Physical or postal addresses)  
 declare that I have examined Mr. / Ms. \_\_\_\_\_,  
 identity number \_\_\_\_\_ and have found the said person to be  
 permanently disabled or having a recurring disability.

"Disability" means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being." –

The nature of the disability is as follows:

---



---



---

Thus signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

OFFICIAL STAMP OF  
MEDICAL PRACTITIONER

## PA-15.1: RESOLUTION OF BOARD OF DIRECTORS

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

\_\_\_\_\_  
(Legally correct full name and registration number, if applicable, of the Enterprise)

Held at \_\_\_\_\_ (place)

on \_\_\_\_\_ (date)

### RESOLVED that:

- The Enterprise submits a Bid / Tender to the Department of Public Works in respect of the following project:

\_\_\_\_\_  
(Project description as per Bid / Tender Document)

Bid / Tender Number: \_\_\_\_\_ (Bid / Tender Number as per Bid / Tender Document)

- \*Mr/Mrs/Ms: \_\_\_\_\_

in \*his/her Capacity as: \_\_\_\_\_ (Position in the Enterprise)

and who will sign as follows: \_\_\_\_\_

be, and is hereby, authorised to sign the Bid / Tender, and any and all other documents and/or correspondence in connection with and relating to the Bid / Tender, as well as to sign any Contract, and any and all documentation, resulting from the award of the Bid / Tender to the Enterprise mentioned above.

|    | Name | Capacity | Signature |
|----|------|----------|-----------|
| 1  |      |          |           |
| 2  |      |          |           |
| 3  |      |          |           |
| 4  |      |          |           |
| 5  |      |          |           |
| 6  |      |          |           |
| 7  |      |          |           |
| 8  |      |          |           |
| 9  |      |          |           |
| 10 |      |          |           |
| 11 |      |          |           |
| 12 |      |          |           |
| 13 |      |          |           |
| 14 |      |          |           |
| 15 |      |          |           |
| 16 |      |          |           |

|    |  |  |  |
|----|--|--|--|
| 17 |  |  |  |
| 18 |  |  |  |
| 19 |  |  |  |
| 20 |  |  |  |

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

**Note:**

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

**ENTERPRISE STAMP**

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

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

\_\_\_\_\_  
(Legally correct full name and registration number, if applicable, of the Enterprise)

Held at \_\_\_\_\_ (place)

on \_\_\_\_\_ (date)

### **RESOLVED that:**

1. The Enterprise submits a Bid /Tender, in consortium/Joint Venture with the following Enterprises:

\_\_\_\_\_  
(List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the Consortium/Joint Venture)

to the Department of Public Works in respect of the following project:

\_\_\_\_\_  
(Project description as per Bid /Tender Document)

Bid / Tender Number: \_\_\_\_\_ (Bid / Tender Number as per Bid / Tender Document)

2. \*Mr/Mrs/Ms: \_\_\_\_\_  
in \*his/her Capacity as: \_\_\_\_\_ (Position in the Enterprise)  
and who will sign as follows: \_\_\_\_\_

be, and is hereby, authorised to sign a consortium/joint venture agreement with the parties listed under item 1 above, and any and all other documents and/or correspondence in connection with and relating to the consortium/joint venture, in respect of the project described under item 1 above.

3. The Enterprise accepts joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Department in respect of the project described under item 1 above.
4. The Enterprise chooses as its *domicilium citandi et executandi* for all purposes arising from this joint venture agreement and the Contract with the Department in respect of the project under item 1 above:

Physical address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (code)

Postal Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (code)

Telephone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

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

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

**Note:**

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

**ENTERPRISE STAMP**

## PA-15.3: SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

**RESOLUTION** of a meeting of the duly authorised representatives of the following legal entities who have entered into a consortium/joint venture to jointly bid for the project mentioned below: *(legally correct full names and registration numbers, if applicable, of the Enterprises forming a Consortium/Joint Venture)*

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_
5. \_\_\_\_\_  
\_\_\_\_\_
6. \_\_\_\_\_  
\_\_\_\_\_
7. \_\_\_\_\_  
\_\_\_\_\_
8. \_\_\_\_\_  
\_\_\_\_\_

Held at \_\_\_\_\_ (place)

on \_\_\_\_\_ (date)

### RESOLVED that:

#### RESOLVED that:

- A. The above-mentioned Enterprises submit a Bid in Consortium/Joint Venture to the Department of Public Works in respect of the following project:

\_\_\_\_\_  
\_\_\_\_\_  
(Project description as per Bid /Tender Document)

Bid / Tender Number: \_\_\_\_\_ (Bid / Tender Number as per Bid /Tender Document)

PA-15.3: Special Resolution of Consortia or Joint Ventures

B. \*Mr/Mrs/Ms: \_\_\_\_\_

in \*his/her Capacity as: \_\_\_\_\_ (Position in the Enterprise)

and who will sign as follows: \_\_\_\_\_

be, and is hereby, authorised to sign the Bid, and any and all other documents and/or correspondence in connection with and relating to the Bid, as well as to sign any Contract, and any and all documentation, resulting from the award of the Bid to the Enterprises in Consortium/Joint Venture mentioned above.

C. The Enterprises constituting the Consortium/Joint Venture, notwithstanding its composition, shall conduct all business under the name and style of:

\_\_\_\_\_

D. The Enterprises to the Consortium/Joint Venture accept joint and several liability for the due fulfilment of the obligations of the Consortium/Joint Venture deriving from, and in any way connected with, the Contract entered into with the Department in respect of the project described under item A above.

E. Any of the Enterprises to the Consortium/Joint Venture intending to terminate the consortium/joint venture agreement, for whatever reason, shall give the Department 30 days written notice of such intention. Notwithstanding such decision to terminate, the Enterprises shall remain jointly and severally liable to the Department for the due fulfilment of the obligations of the Consortium/Joint Venture as mentioned under item D above.

F. No Enterprise to the Consortium/Joint Venture shall, without the prior written consent of the other Enterprises to the Consortium/Joint Venture and of the Department, cede any of its rights or assign any of its obligations under the consortium/joint venture agreement in relation to the Contract with the Department referred to herein.

G. The Enterprises choose as the *domicilium citandi et executandi* of the Consortium/Joint Venture for all purposes arising from the consortium/joint venture agreement and the Contract with the Department in respect of the project under item A above:

Physical address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (Postal code) \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (Postal code) \_\_\_\_\_

Telephone number: \_\_\_\_\_

Fax number: \_\_\_\_\_



### PA-15.3: Special Resolution of Consortia or Joint Ventures

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

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

**Note:**

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

## 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).*

- ☒ 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 **90/10 or 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 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:

| CHOOSE APPLICABLE PREFERENCE POINT SCORING SYSTEM | <input checked="" type="checkbox"/> 80/20 | <input type="checkbox"/> 90/10 |
|---------------------------------------------------|-------------------------------------------|--------------------------------|
| PRICE                                             | 80                                        | 90                             |
| SPECIFIC GOALS                                    | 20                                        | 10                             |
| Total points for Price and Specific Goals         | 100                                       | 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**

| 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                                    | <ul style="list-style-type: none"> <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                                     | <ul style="list-style-type: none"> <li>Official Municipal Rates Statement which is in the name of the bidder.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>Any account or statement which is in the name of the bidder.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <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                                     | <ul style="list-style-type: none"> <li>SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                            |
| 4.        | An EME or QSE which is at least 51% owned by black people with disability (Mandatory)                                                                               | 2                                     | <ul style="list-style-type: none"> <li>SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                            |

|    |                                                                      |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----|----------------------------------------------------------------------|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                                                      |   | <p>and</p> <ul style="list-style-type: none"> <li>• Medical Certificate indicating that the disability is permanent.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>• South African Social Security Agency (SASSA) Registration indicating that the disability is permanent.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>• National Council for Persons with Physical Disability in South Africa registration (NCPDPSA).</li> </ul> |
| 5. | An EME or QSE which is at least 51% owned by black youth (Mandatory) | 2 | <ul style="list-style-type: none"> <li>• ID Copy and SANAS Accredited 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 style="list-style-type: none"> <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                                     | <ul style="list-style-type: none"> <li>• Official Municipal Rates Statement which is in the name of the bidder.</li> </ul> <p>Or</p> |

|    |                                                                                                     |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----|-----------------------------------------------------------------------------------------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                                                                                     |   | <ul style="list-style-type: none"> <li>Any account or statement which is in the name of the bidder.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>Lease Agreement which is in the name of the bidder.</li> </ul>                                                                                                                                         |
| 3. | An EME or QSE or any entity which is at least 51% owned by black women (Mandatory)                  | 4 | <ul style="list-style-type: none"> <li>SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 4. | An EME or QSE or any entity which is at least 51% owned by black people with disability (Mandatory) | 2 | <ul style="list-style-type: none"> <li>SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>Medical Certificate indicating that the disability is permanent.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>South African Social Security Agency (SASSA) Registration indicating that the disability is permanent.</li> </ul> <p>Or</p> <p>National Council for Persons with Physical Disability in South Africa registration (NCPDPSA).</p> |

|    |                                                                                    |   |                                                                                                                                       |
|----|------------------------------------------------------------------------------------|---|---------------------------------------------------------------------------------------------------------------------------------------|
| 5. | An EME or QSE or any entity which is at least 51% owned by black youth (Mandatory) | 2 | <ul style="list-style-type: none"> <li>ID Copy and SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.</li> </ul> |
|----|------------------------------------------------------------------------------------|---|---------------------------------------------------------------------------------------------------------------------------------------|

**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 No | Specific Goals                                                                                                                                                      | Preference Points Allocated out of 10 | 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)                                                                                 | 4                                     | <ul style="list-style-type: none"> <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                                     | <ul style="list-style-type: none"> <li>Official Municipal Rates Statement which is in the name of the bidder.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>Any account or statement which is in the name of the bidder.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>Lease Agreement which is in the name of the bidder.</li> </ul> |
| 3.        | An EME or QSE or any entity which is at least 51%                                                                                                                   | 2                                     | <ul style="list-style-type: none"> <li>SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                            |

|  |                             |                                                                                                     |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--|-----------------------------|-----------------------------------------------------------------------------------------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |                             | owned by black women (mandatory)                                                                    |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|  | 4. <input type="checkbox"/> | An EME or QSE or any entity which is at least 51% owned by black people with disability (Mandatory) | 2 | <ul style="list-style-type: none"> <li>• SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable.</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• Medical Certificate indicating that the disability is permanent.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>• South African Social Security Agency (SASSA) Registration indicating that the disability is permanent.</li> </ul> <p>Or</p> <p>National Council for Persons with Physical Disability in South Africa registration (NCPDPSA).</p> |
|  | <b>OR</b>                   |                                                                                                     |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|  | 5. <input type="checkbox"/> | An EME or QSE or any entity which is at least 51% owned by black youth (Mandatory)                  | 2 | <ul style="list-style-type: none"> <li>• ID Copy and SANAS Accredited BBBEE Certificate or Sworn Affidavit where applicable</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                          |

**Black people** mean Africans, Coloureds and Indians, who - (a) are citizens of the Republic of South Africa by birth or descent; or (b) became citizens of the Republic of South Africa by naturalisation - (i) before 27 April 1994; or (ii) on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date. (BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT No 25899, 2003 of 9 JANUARY 2004).

- 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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps} = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) & \mathbf{or} & \mathbf{Ps} = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) \end{array}$$

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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps} = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) & \mathbf{or} & \mathbf{Ps} = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) \end{array}$$

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 1,2 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<br>(90/10 system)<br>(To be completed by the organ of state) | Number of points allocated<br>(80/20 system)<br>(To be completed by the organ of state) | Number of points claimed<br>(90/10 system)<br>(To be completed by the tenderer) | Number of points claimed<br>(80/20 system)<br>(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 | 4                                                                                       | 10                                                                                      |                                                                                 |                                                                                 |
| 2. Located in a specific Local Municipality or District Municipality or Metro or                                                                 | 2                                                                                       | 2                                                                                       |                                                                                 |                                                                                 |

| The specific goals allocated points in terms of this tender                                                                                                      | Number of points allocated (90/10 system)<br>(To be completed by the organ of state) | Number of points allocated (80/20 system)<br>(To be completed by the organ of state) | Number of points claimed (90/10 system)<br>(To be completed by the tenderer) | Number of points claimed (80/20 system)<br>(To be completed by the tenderer) |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Province area for work to be done or services to be rendered in that area                                                                                        |                                                                                      |                                                                                      |                                                                              |                                                                              |
| 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                  | 2                                                                                    | 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                                                                                    | 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                                                                                    | 2                                                                                    |                                                                              |                                                                              |

#### 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.

|                                    |       |
|------------------------------------|-------|
| .....                              |       |
| <b>SIGNATURE(S) OF TENDERER(S)</b> |       |
| <b>SURNAME AND NAME:</b>           | ..... |
| <b>DATE:</b>                       | ..... |
| <b>ADDRESS:</b>                    | ..... |
|                                    | ..... |
|                                    | ..... |
|                                    | ..... |

## 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**

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