

**REQUEST FOR QUOTATION FOR GOODS AND SERVICES FOR AIR TRAFFIC AND NAVIGATION SERVICES**

<b>RFQ REFERENCE NUMBER:</b>	ATNS/CSI/RFQ01/06/06/2023/24
<b>ISSUE DATE:</b>	08 June 2023
<b>CLOSING DATE:</b>	15 June 2023
<b>CLOSING TIME:</b>	11h00, CAT
<b>COMPULSORY BRIEFING SESSION AND SITE INSPECTION:</b>	N/A
<b>QUOTATION VALIDITY PERIOD:</b>	60 Days
<b>DESCRIPTION:</b>	APPOINTMENT OF AN EXPERIENCED SERVICE PROVIDER TO PROVIDE CHEMICAL WASTE REMOVAL SERVICES AT SEEMAHLE SECONDARY SCHOOL IN K SECTION BOTSHABELO, FREE STATE.
<b>RFQ DOCUMENTS MAY BE ADDRESSED TO:</b>	<p>Procurement Graduate: Simphiwe Qwabe</p> <p>Email address: RFQs@atns.co.za</p> <p><b>NB: Please note our emails can only receive documents that are less 40MB, if documents are more, please send them in separate emails</b></p>
<b>REQUIRED RETURNABLE DOCUMENTS</b>	<ul style="list-style-type: none"> <li>• Central Supplier Database (CSD) Report</li> <li>• Duly completed and signed SBD Forms (SBD1, SBD 4, SBD 6.1)</li> <li>• General conditions of contracts (GCCs) - Initialled and signed.</li> <li>• ATNS Completed pricing schedule</li> </ul>

<p><b>REQUIRED ADMINISTRATIVE PRE-QUALIFICATION DOCUMENTS</b></p>	<ul style="list-style-type: none"> <li>• Valid Tax Pin Status</li> <li>• Valid B-BBEE Certificate or Sworn Affidavit – Certified</li> <li>• Banking Details with a Bank Stamp</li> <li>• Optional - Quotation on the Company Letterhead (aligned to ATNS pricing schedule)</li> <li>• CIPC registration Documents</li> </ul>
<p><b>MANDATORY DOCUMENTS:</b></p> <p><b><i>NB: FAILURE TO SUBMIT ALL OF THESE DOCUMENTS WILL RESULT ON YOUR QUOTATION BEING DISQUALIFIED.</i></b></p>	<ul style="list-style-type: none"> <li>• Provide copy of Waste Management License.</li> </ul>
<p style="text-align: center;"><b><u>PLEASE NOTE:</u></b></p> <p style="text-align: center;"><b>ATNS RESERVES THE RIGHT TO APPOINT MORE THAN ONE SERVICE PROVIDERS</b></p>	
<p><b>PROCUREMENT GRADUATE:</b></p>	<p><b>Simphiwe Qwabe</b></p>
<p><b>TELEPHONE:</b></p>	<p><b>011 607 1475</b></p>
<p><b>E-MAIL:</b></p>	<p><b>SimphiweQ@atns.co.za</b></p>
<p><b>The ATNS requests your quotations on the services listed hereunder and/or on the available RFQ forms. Please furnish all information as requested and return your proposal on the date stipulated. Late submissions will not be considered. Incomplete / missing documentations will invalidate the proposal submitted. ATNS is not obliged to accept the lowest or any submission received. ATNS reserves the rights to accept the whole or any portion of a quotation.</b></p> <p><b>This RFQ will be evaluated on the basis of the 80:20 preference point system as stipulated in the ATNS' Procurement Policies and Procedures.</b></p>	

## BIDDING STRUCTURE

<b>Indicate the type of Bidding/Tendering Structure by marking with an 'X'</b>	
<b>Individual Bidder</b>	
<b>Joint Venture</b>	
<b>Consortium</b>	
<b>With Sub-Contractors</b>	
<b>Other</b>	
<b>If Individual:</b>	
<b>Name of Bidder</b>	
<b>Registration Number</b>	
<b>VAT Registration Number</b>	
<b>Contact Person</b>	
<b>Telephone Number</b>	
<b>Fax Number</b>	
<b>Cell Number(s)</b>	
<b>E-mail Address</b>	
<b>Postal Address</b>	
<b>Physical Address</b>	
<b>If Joint Venture or Consortium, indicate the name/s of the partners:</b>	
<b>Company Name</b>	
<b>Registration Number</b>	
<b>VAT Registration Number</b>	
<b>Contact Person</b>	
<b>Telephone Number</b>	
<b>E-mail Address</b>	
<b>Fax Number</b>	
<b>Postal Address</b>	
<b>Physical Address</b>	

## ANNEXURE A: SCOPE OF WORK

### 1. PURPOSE OF THE REQUEST FOR QUOTATIONS

- 1.1 Air Traffic and Navigation Services SOC (herein this document referred to as “ATNS”) seeks to identify an experienced service provider to provide chemical waste removal services at Seemahle Secondary School in K Section Botshabelo, Free State.
- 1.2 The purpose of this RFQ is to contract with a suitably qualified supplier with specific product knowledge and the requisite capacity to execute this project within the desired quality, scope, timeframe, and cost-effectiveness for ATNS

### 2. EXTENT OF WORK

#### 2.1 BACKGROUND

- 2.1.1 ATNS has identified a need to remove the chemical waste solutions and liquids at Seemahle Secondary School’s science lab.
- 2.1.2 To this end, the ATNS intends appointing a suitably qualified and experienced service provider to remove all chemical waste solutions and solids at Seemahle Secondary School.

#### 2.2 SCOPE OF WORK

The scope of this project shall entail the following main aspects:

##### 2.2.1 Removal of the chemical waste

- The service provider must meticulously remove all chemical waste listed below.

#### 2.3 SPECIFICATION

##### CHEMICALS THAT NEED TO BE DISPOSED FROM THE SCIENCE LABORATORY

Chemical name	Quantity	State
1. Potassium hydroxide	12	3-solutions 9 solids
2. Potassium Chloride	7	Solids

3. Potassium iodate	3	Solids
4. Potassium bromide	9	Solids
5. Potassium iodide	6	Solids
6. Potassium nitrate	6	Solids
7. Potassium dichromate	4	Solids
8. Potassium permanganate	2	Solids
9. Potassium tartrate	4	Solids
10. Sodium nitrate	4	Powder
11. Sodium carbonate	11	Powder
12. Sodium hydrocarbonate	6	Powder
13. Sodium carbonate decahydrate	1	Powder
14. Potassium thiocyanate	1	Solution
15. Sodium chloride	11	Solids
16. Sodium hydroxide	11	Solids
17. Sodium thiosulphate	2	Solids
18. Sodium pentahydrate	1	Solids
19. Sodium bisulphate	2	Solids
20. Barium Chloride	5	Powder
21. Calcium carbonate	9	Powder
22. Calcium hydroxide	7	5 liquids and 2 solids
23. Calcium chloride	2	1 solid, 1 liquid
24. Calcium metal	1	Solid
25. Calcium oxide	1	Solid
26. Tartaric acid	2	Solid
27. Copper(II) sulphate	12	Solid
28. Copper(II) sulphate pentahydrate	1	Solid
29. Copper granules	4	Solid
30. Copper chloride	6	Solid
31. Copper oxide	9	Powder
32. Copper metal powder	2	Powder
33. Copper carbonate	3	Solution
34. Copper(II) nitrate	2	Solution
35. Copper sulphate	2	Liquid
36. Iron filings	8	Solid
37. Ferrous sulphate	3	Solid

38. Ferric nitrate	4	Solid
39. Iron(II) chloride	1	Solid
40. Zinc metal granular	4	Solid
41. Zinc metal powder	4	Powder
42. Zinc	7	Solid
43. Zinc sulphate	6	Solid
44. Zinc nitrate	2	1Solid, 1 liquid
45. Sodium oxalate	2	Solid
46. Sodium sulphite	2	Solid
47. Sodium hydrogen carbonate	1	0.5M solution
48. Sodium hydroxide	1	5.5M
49. Sodium chloride	1	Saturated solution
50. Sodium hydroxide	1	0.1M solution
51. Gelatin	4	Solid
52. Lead(II) nitrate	1	Solid
53. Silver nitrate solution	11	1M solution
54. Iron	1	Solid
55. Iron oxide	1	Solid
56. Ferric sulphate	1	Solid
57. Hydrochloric acid	1	0.1M solution
58. Soda lime	3	solid
59. Starch	9	Solid
60. Sulphur	6	Solid
61. Magnesium sulphate	13	Solid
62. Magnesium sulphate	1	0.1M solution
63. Magnesium ribbon	2	Solid
64. Magnesium oxide	6	Powder
65. Magnesium nitrate	2	Solid
66. Magnesium carbonate	5	Solid
67. Magnesium powder	1	Powder
68. Cobalt chloride	6	3 liquids, 3 solid
69. Nutrients extraction	1	Liquid
70. Manganese dioxide	2	Powder
71. Aluminium sulphate	2	Solid
72. Aluminium grit	6	Solid
73. Ammonium thiocyanate	3	Solid
74. Ammonium chloride	1	Solid



75. Ammonia	5	2.0M solution
76. Ammonium hydroxide	16	Liquid
77. Manganese sulphate	1	solution

78. Oxalic acid	1	Solid
79. Benedicts	9	Solution
80. Biuret A	13	Solution
81. Biuret B	10	Solution
82. Schultz'z	9	Solution
83. Eosin	4	Solution
84. Iodine	1	Solid
85. Iodine water	18	Solution
86. Iodine crystals	8	Solid
87. Iodine resublimed	1	Solid
88. Iodine solution	1	Solution
89. Acetic/ethanoic acid	1	1M solution
90. Ethyl acetate	1	Liquid
91. Carbon tetrachloride	3	Solution
92. Nitric acid	4	6.0M solution
93. Lithium	1	Solid
94. Hydrogen peroxide	3	Solution
95. Chlorine water	10	Solution
96. Bromine water	10	Solution
97. Lime water	1	Solution
98. Methylated spirit	5	Solution
99. Formalin	8	Solution
100. Fabil	6	Solution
101. Methanol	4	Liquid
102. Naphthalene	1	Solid
103. Alcohol	3	Liquid
104. Yeast	3	Solid
105. Fehling solution	2	Solution
106. Glucose	2	Powder
107. Chromic acid	3	Liquid
108. Mercury(II) chloride	3	Solid
109. Boiling stones	1	Solid
110. Sterilizer	3	Liquid
111. Formic acid	3	Liquid

112.	Xylene	3	liquid
113.	Charcoal chunks	1	Solid
114.	Green compounds	3	Solid
115.	Mealies	1	Solid
116.	Phosphorus reagent	1	liquid
117.	Red phosphorus	1	liquid
118.	Glycerine	2	Liquid
119.	Sulfuric acid	1	Liquid
120.	Potassium cyanate	1	Solid
121.	Brilliant cres blue	3	Solid
122.	Wrights buffer	4	Liquid
123.	Apple green (food color)	1	Liquid
124.	Egg yellow (food color)	1	Liquid
125.	Bromothymol blue	8	Liquid
126.	Universal indicator	16	Liquid
127.	Methyl orange	7	Liquid
128.	Methyl red	5	Liquid
129.	Methelene blue	4	Liquid
130.	Phenolphthalein	5	liquid

## 2.4 SAFETY

Minimum site SHE file requirements (also refer to OHS Act and Regulations):

- Proof of Competency for the duly appointed competent staff on site

The successful tenderer will be responsible for the site to be in a safe and tidy condition throughout the removal period. Site inspection will be done from time to time and if not in a tidy and safe condition, it must be restored immediately to the satisfaction of ATNS/school representative. The ATNS/school representative may order the contractor to stop all work, until such time as, in his opinion, this condition has been observed.





## 2.5 SUPPLIER DUE DILIGENCE

- ATNS reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include requests for additional information.

## ANNEXURE B: PRICING SCHEDULES.

This section provides the tenderer with guidelines and requirements regarding the completion of the Price Schedule.

Scheduled Material					
Item No.	Items Description	UOM	QTY	Unit Price	Total Price
1.	Removal of all chemical waste	Job			
2.	Sundries	Job			
				<b>Sub-Total</b>	
				<b>VAT @15%</b>	
				<b>Total (VAT Incl.)</b>	

### Pricing notes

- All Prices must be quoted in South African Rands.
- To facilitate like-for-like comparison, bidders must submit pricing strictly in accordance with this price schedule and not utilise a different format. Deviation from this pricing schedule will result in a bid being disqualified.
- The financial proposal for this assignment should cover all assignment activities as per the Terms of Reference.
- All escalation should be aligned or factor in government gazetted prices

**NB: The pricing schedule must be fully completed (100%) and submitted. Failure to comply with this instruction will result in the bid being disqualified.**



**NAME OF THE COMPANY**.....

**DESIGNATION**.....

**SIGNATURE**.....

**CSD NUMBER**.....

**PREFERENTIAL PROCUREMENT REFORM:**

**The Preferential Procurement Regulations, 2022 pertaining to the Preferential Procurement Policy Framework Act, Act No 5 of 2000.**

ATNS Preferential Procurement (PP) requirements as per the ATNS Supply Chain Management Policy, states that ATNS shall deal with suppliers in accordance with the ATNS specific goals. The application of the specific goals will be per request, per tender up to the maximum points as per the applicable pricing formula, the 80/20 system.

Suppliers not meeting the requirements of the Preferential Procurement are required to clearly identify any possible teaming arrangement which could be established with South African B-BBEE compliant enterprises Any workable plan to train and promote black businesses or individuals through meaningful participation in this project will be considered favorably by the Company during the Tender evaluation process.

Partnership must be in the form of Joint Venture Agreement or Consortium Agreement between compliant B-BBEE and non-B-BBEE Organisation/or foreign supplier in order to meet the policy requirements.

All responsive tender offers shall be evaluated in terms of Price and ATNS specific goals. The 80/20 Preference Point System shall be applicable in accordance with the Preferential Procurement Framework Act (No.5) of 2000.

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**THE EVALUATION OF THE RFQ:**

<b>STAGE 1</b>	<b>ADMINISTRATIVE PRE-QUALIFICATION REQUIREMENTS</b>
<b>STAGE 2</b>	<b>MANDATORY REQUIREMENTS</b>
<b>STAGE 3</b>	<b>PRICE AND ATNS SPECIFIC GOALS</b>

**The bidder must qualify for each stage to be eligible to proceed to the next stage of the evaluation.**

**STAGE 1: ADMINISTRATIVE PRE-QUALIFICATION REQUIREMENTS**

The bidder must comply with **ALL** of the bid pre-qualification requirements in order for the bid to be accepted for evaluation.

If the Bidder failed to comply with any of the administrative pre-qualification requirements, or if ATNS is unable to verify whether the pre-qualification requirements are met, then ATNS reserves the right to-

- (a) Reject the bid and not evaluate it, or
- (b) Accept the bid for evaluation, on condition that the Bidder must submit within 7 (seven) days any supplementary information to achieve full compliance, provided that the supplementary information is administrative and not substantive in nature.

**STAGE 2: MANDATORY REQUIREMENTS**

***FAILURE TO SUBMIT ALL OF THE BELOW REQUIREMENTS WILL RESULTS ON YOUR QUOTATION BEING DISQUALIFIED***

<b>Mandatory Criteria</b>	<b>Proof Required</b>
Provide proof of Waste Management License.	Yes

**STAGE 3: PRICE AND ATNS SPECIFIC GOALS:**

**Evaluation for Price and ATNS specific goals**

Quotations will be evaluated in terms of the ATNS' Procurement Policies and Procedures using the 80:20 point system. 80 points will be awarded for price and 20 points for ATNS specific goals claimed.

<b>PRICE</b>	<b>80</b>
<b>ATNS SPECIFIC GOALS</b>	<b>20</b>

B-BBEE rating certificates are applicable, and points will be allocated in terms of the ATNS specific goals as indicated in the table below. Bidders must submit valid B-BBEE Certificates, requested declarations, utility statements and any other supporting information that may be required to claim ATNS specific goals.

**Note to tenderers: The tenderer must indicate how they claim points for each preference point system in the provided SBD 6.1 attached.**

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system)
51% Black Owned Suppliers (Section 2(1)(d)(i) of the PPPFA)	20	<b><i>(To be completed by the tenderer in SBD 6.1 attached)</i></b>

This RFQ will be evaluated according to the above on ATNS specific goals. Failure to submit supporting documents may result to a bidder being allocated zero (0) points. Bidders are required to claim ATNS specific goals in the provided **SBD 6.1** attached.

### CONTRACT TERMS

Whilst ATNS have taken every reasonable step to ensure the accuracy of this brief, the Company accepts no liability in relation to the accuracy of any representations made. Tenderer should accept that their tender response is on the basis and reliance of its own judgment and information. ATNS reserves the right to vary the scope and terms as described in this



document. If any variation does take place tenderer will be advised as soon as possible in writing.

The successful tenderer will be engaged subject to acceptance of a contract containing the standard Terms and Conditions as given. The contract contains standard clauses including a retention clause for non-satisfactory completion, breach of contract and confidentiality clauses and a requirement for the tenderer to have adequate professional indemnity insurance. All Tenderers must bear in mind that if circumstances dictate, ATNS reserves its right to withdraw from any commitments that will be entered into within this statement of work.

All designs and documentation submitted by the tenderer will be treated as confidential.

***ATNS reserves the right to reject, withdraw or cancel any or all Proposals/Tenders, to undertake discussions with one or more Tenderers and to accept that tender or modified tender which in its sole judgment, will be most advantageous to the Company, price and other evaluation factors having been considered.***





SBD 1

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ATNS SOC LTD</b>					
BID NUMBER:	ATNS/CSI/RFQ01/06/06/2023/24	CLOSING DATE:	15 June 2023	CLOSING TIME:	15h00
DESCRIPTION	Appointment of an experienced service provider to provide chemical waste removal services at Seemahle Secondary School in K Section Botshabelo, Free State.				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
RFQ can be sent by email to: RFQs@atns.co.za					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Simphiwe Qwabe		CONTACT PERSON		
TELEPHONE NUMBER	011 607 1475		TELEPHONE NUMBER		
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER		
E-MAIL ADDRESS	<a href="mailto:SimphiweQ@atns.co.za">SimphiweQ@atns.co.za</a>		E-MAIL ADDRESS		
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					



<b>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [(IF YES ENCLOSE PROOF)]	<b>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [(IF YES, ANSWER THE QUESTIONNAIRE BELOW)]
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**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?  YES  NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA?  YES  NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  YES  NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?  YES  NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?  YES  NO

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

**PART B**

**TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	<b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4.	<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6	WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

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SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g., company resolution)

DATE.

.....



**BIDDER'S DISCLOSURE**

**1. PURPOSE OF THE FORM**

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

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

**2. Bidder's declaration**

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

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

Full Name	Identity Number	Name of institution	State

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:

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



.....  
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

**YES/NO**

2.3.1 If so, furnish particulars:

.....  
.....

**3. DECLARATION**

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious

<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.





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

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

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

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

**1. GENERAL CONDITIONS**

- 1.1 The following preference point systems are applicable to invitations to tender:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

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

- a) The applicable preference point system for this tender is the **80/20** preference point system.

**1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:**

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

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

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>



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

## 2. DEFINITIONS

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

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

$$P_s = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$



Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{min}$  = 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:

$$P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) \quad \text{or} \quad P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{max}$  = Price of highest acceptable tender

## 4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
51% Black Owned Suppliers (Section 2(1)(d)(i) of the PPPFA)	20	

**DECLARATION WITH REGARD TO COMPANY/FIRM**

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

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





4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.





.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

.....



## 1 PROTECTION OF PERSONAL INFORMATION

- 1.1 The Service Provider shall ensure that its employees, representatives and officers, comply with the provisions of the Protection of Personal Information Act, 2013 (“**POPIA**”) and all other applicable data protection laws and, without limitation to the foregoing, shall ensure the security and confidentiality of all Personal Information processed by that Party is in accordance with POPIA and all other applicable data protection laws.
- 1.2 The Service Provider must only process personal information of the Company and third parties on behalf of the Company, with the Company’s knowledge or authorisation, treat such information which comes to their knowledge as confidential and must not disclose it unless required by law or in the course of the proper performance of the Service Provider’s duties. The Service Provider must comply with the responsible party’s obligations in clause section 19 of POPIA.
- 1.3 Where the Service Provider, its agents, subcontractors, officers, directors, shareholders, representatives, or employees has/have access to any Personal Information held by the Company for any reason in connection with this Agreement or is/are supplied with or otherwise provided with Personal Information by the Company or on behalf of the Company for any purpose, or are supplied with or otherwise provided with Personal Information relating to the Services, the Service Provider shall:
- 1.3.1 process such Personal Information only for purposes of performing its/their obligations under this Agreement and shall not otherwise modify, amend or alter the contents of such Personal Information or disclose or permit the disclosure of such Personal Information to any third party, unless specifically authorised to do so by the Company or as required by law or any regulatory authority, and shall take all such steps as may be necessary to protect and safeguard such Personal Information.



1.3.2 without prejudice to the generality of the foregoing, ensure that appropriate, reasonable technical and organisational measures shall be taken by it/them to prevent –

1.3.2.1 the unauthorised or unlawful processing of such Personal Information; and

1.3.2.2 the accidental loss or destruction of, or damage to, such Personal Information; and

1.3.2.3 promptly notify the Company when it becomes aware of any unauthorised, unlawful or dishonest conduct or activities, or any breach of the terms of this Agreement relating to Personal Information.

1.4 The Service Provider shall be liable for all claims, demands, actions, costs, expenses (including but not limited to reasonable legal costs and disbursements), fines, losses and damages arising from or incurred by reason of any wrongful processing of any Personal Information by the Service Provider (including its agents, subcontractors, officers, representatives or employees) for any breach of its obligations or warranties in terms of clause.

1.5 Both Parties will comply with their obligations under POPIA in relation to personal information for which they are the responsible party.

1.6 The Service Provider must notify the Company immediately where there are reasonable grounds to believe that personal information has been accessed or acquired by any unauthorised person (Data Breach) and must assist the Company, at its own cost: a) with any investigation or notice to the Regulator or data subjects that the Company may make in relation to a Data Breach; and b) in responding to any directions by the Regulator to publicise the Data Breach, including assisting the Company to make public announcements if required.

1.7 The Service Provider indemnifies the Company against any civil or criminal action or administrative fine or other penalty or loss as a result of the Service Provider's breach of this clause.

**1. POPIA CONSENT**

1.1 The Service Provider, by submitting its proposal/ quotation, consents to the use of his/her personal information contained therein and confirms that:

- 1.1.1 The information is voluntarily supplied, without undue influence from any party; and
- 1.1.2 The information is necessary for the purposes of the engagement with ATNS.

1.2 The tenderer acknowledges that he /she is aware of his/her right to:

- 1.2.1 Access the information at any reasonable time for the purposes of rectification thereof.
- 1.2.2 Object to the processing of the information.
- 1.2.3 Lodge a complaint with the Information Regulator.