

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

RFQ REFERENCE NUMBER:	ATNS/EP/RFQ003/2023/24_UPS Region C
ISSUE DATE:	24 July 2023
CLOSING DATE:	18 August 2023
CLOSING TIME:	12h00, CAT
COMPULSORY BRIEFING SESSION:	<p>Date: 07 August 2023</p> <p>Time: 11h00</p> <p>Venue: Tafelkop Site</p> <p>Coordinates: Latitude: -23.631747, Longitude: 27.961025</p> <p>NB: The supplier who will be attending the briefing session must confirm and express their interest to Thokop@atns.co.za.</p>
QUOTATION VALIDITY PERIOD:	60 Days
DESCRIPTION:	APPOINTMENT OF AN EXPERIENCED SERVICE PROVIDER TO PROVIDE A TECHNICALLY DETAILED PROPOSAL FOR THE SUPPLY, DELIVERY, INSTALLATION, COMMISSIONING AND SUPPORT OF A 10KVA LITHIUM-ION BATTERY UPS AT HOEDSPRUIT AND MARIEPSKOP ATNS WAM REGION_C SITES.
RFQ DOCUMENTS MAY BE ADDRESSED TO:	<p>Procurement Officer: Thoko Phukubye</p> <p>Email address: RFQs@atns.co.za</p> <p>NB: Please note our emails can only receive documents that are less 40MB, if documents are more, please send them in separate emails</p>

<p>REQUIRED DOCUMENTS</p> <p>RETURNABLE</p>	<ul style="list-style-type: none"> • Central Supplier Database (CSD) Report • Duly completed and signed SBD Forms (SBD1, SBD 4, SBD 6.1) • General conditions of contracts (GCCs) - Initialled and signed. • ATNS Completed pricing schedule
<p>REQUIRED ADMINISTRATIVE DOCUMENTS</p>	<ul style="list-style-type: none"> • Valid Tax Pin Status • Valid B-BBEE Certificate or Sworn Affidavit – Certified • Banking Details with a Bank Stamp • Optional - Quotation on the Company Letterhead (aligned to ATNS pricing schedule) • CIPC registration Documents
<p>MANDATORY DOCUMENTS:</p> <p><i>NB: FAILURE TO SUBMIT ALL OF THESE DOCUMENTS WILL RESULT ON YOUR QUOTATION BEING DISQUALIFIED.</i></p>	<ul style="list-style-type: none"> • N/A
<p style="text-align: center;"><u>PLEASE NOTE:</u></p> <p style="text-align: center;">ATNS RESERVES THE RIGHT TO APPOINT MORE THAN ONE SERVICE PROVIDERS</p>	
<p>PROCUREMENT OFFICER:</p>	<p>Thoko Phukubye</p>
<p>TELEPHONE:</p>	<p>011 607 1000</p>
<p>E-MAIL:</p>	<p>Thokop@atns.co.za</p>
<p>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.</p>	

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.

This RFQ will be evaluated on the basis of the 80:20 preference point system as stipulated in the ATNS' Procurement Policies and Procedures.

BIDDING STRUCTURE

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



Telephone Number	
E-mail Address	
Fax Number	
Postal Address	
Physical Address	



ANNEXURE A: SCOPE OF WORK

1. Purpose of the RFQ

The scope of the ATNS invites potential service providers to provide technically detailed proposal for the delivery, supply, installation, and commissioning of three (3) new UPSs. The potential service provider shall include as part of their proposal one-year support plan that clearly articulates the support that can be offered throughout one year of service. The support will be offered as part of the standard one-year warranty period.

The objective of this RFQ is for ATNS to obtain a budgetary and technically detailed proposal.

2. Northern WAM UPS Project Background

ATNS provides communication, navigation and surveillance in 10 % of the world airspace therefore always ensuring to provide world class Air Traffic Management Services . One of the systems used to provide aircraft surveillance is the Wide Area Multilateration System (WAM System).

The WAM&ADS-B system is an aeronautical radionavigation and radiolocation services provision system that operates within the allowable aviation spectrum of 1030MHz for transmission and 1090 MHz for receiving of surveillance data.

The WAM system has been installed in Mpumalanga and Limpopo area. The system provides coverage to the Kruger and Hoedspruit Region. It is important that ATNS provides an interruptible power source which is always operational regardless of regular power failures of these present times.

This project calls for the supply, delivery, installation, commissioning and one year standard warranty three new 10 KVA UPSs. The UPSs will be installed one in each of the sites listed in Annex A of this document. The project also includes associated electrical works, and certification.

3. EXTENT OF WORK

3.1 SCOPE OF WORK

The scope of the project is to:

- Perform an overall assessment to validate that the UPS ratings is compatible and sufficient **to support a load of 2000 Watts for 3 hours.**
- Provide a Certificate of Compliance after a successful installation and commissioning.
- Provide battery packs to support the load for the four-hour duration.
- Provide a warranty for the proposed UPSs.

3 x Northern WAM UPSs Specification Summary

Capacity: 10 KVA, 3hr back up, Single Phase Lithium Ion, Double Conversion.

Output Voltage: 230 V

Physical Dimension: Information provided in the detailed requirements.

Allowable Recharge Time: 4 hours

Figure 1: Summary of Requirement

Response to This Document

The bidder shall submit all responses, diagrams, project management documentation and drawings according to the GENERAL INFORMATION AND INSTRUCTIONS TO BIDDERS document and in the English language.

ALL RESPONSES TO THE REQUIREMENTS IN THIS DOCUMENT SHALL BE PROVIDED AS FOLLOWS:

BIDDERS SHALL RESPOND IN FULL TO EACH ITEM IN THE FORMAT PROVIDED AND REFERENCES TO DOCUMENTS AND RELEVANT INFORMATION SUPPORTING THE RESPONSES SHALL BE INDICATED IN THE SPACE PROVIDED. THIS INFORMATION WILL BE THE **ONLY RESPONSE USED FOR THE EVALUATION AND ASSESSMENT.**



Responses, provided in the space allowed, that are not clear or inadequate or the lack thereof shall be interpreted as **“Not Compliant”** even though the compliance column is declared as “Comply” and/or the Bidder’s offer meets the requirement. Bidders shall ensure that each response correctly addresses the requirement stated. Responses not addressing the requirement of the specific paragraph shall be interpreted as **“Not Compliant”**.

Bidders shall declare compliance to each and every paragraph of this document in the column labelled “Compliance” as follows:

- C: fully compliant = 2 points:
- PC: partly compliant = 1 points.
- NC: not compliant = 0 points.

For paragraphs marked “PC” or “NC”, Bidder’s shall include a statement as to the nature of the variation and may additionally supply supporting information in the space provided to demonstrate how the proposal meets the needs of ATNS.

4. NORTHERN WAM UPSs Technical Requirements

This section defines requirements for the supply, delivery, installation, and commissioning of three new Lithium Ion UPSs. Refer to Annexure C for geographic information or site locations.

4.1 The Contractor shall provide a Turn-Key solution addressing all project requirements which are: Supply, deliver, install and commission 3 x 10 KVA, 3hr back up, single phase lithium-ion double conversion UPSs in Hoedspruit and Mariepskop ATNS WAM Sites. The bidder shall submit a supporting document indicating compliance to this requirement.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.2 The Bidder shall provide an overall technical description of the proposed UPSs along with the supporting drawings, datasheets, connectivity diagrams, etc.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.3 The bidder shall note that the overall load on site is 2000 Watts per site. This calculation is based on the actual figures as per equipment specification and has been tested and verified on site.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

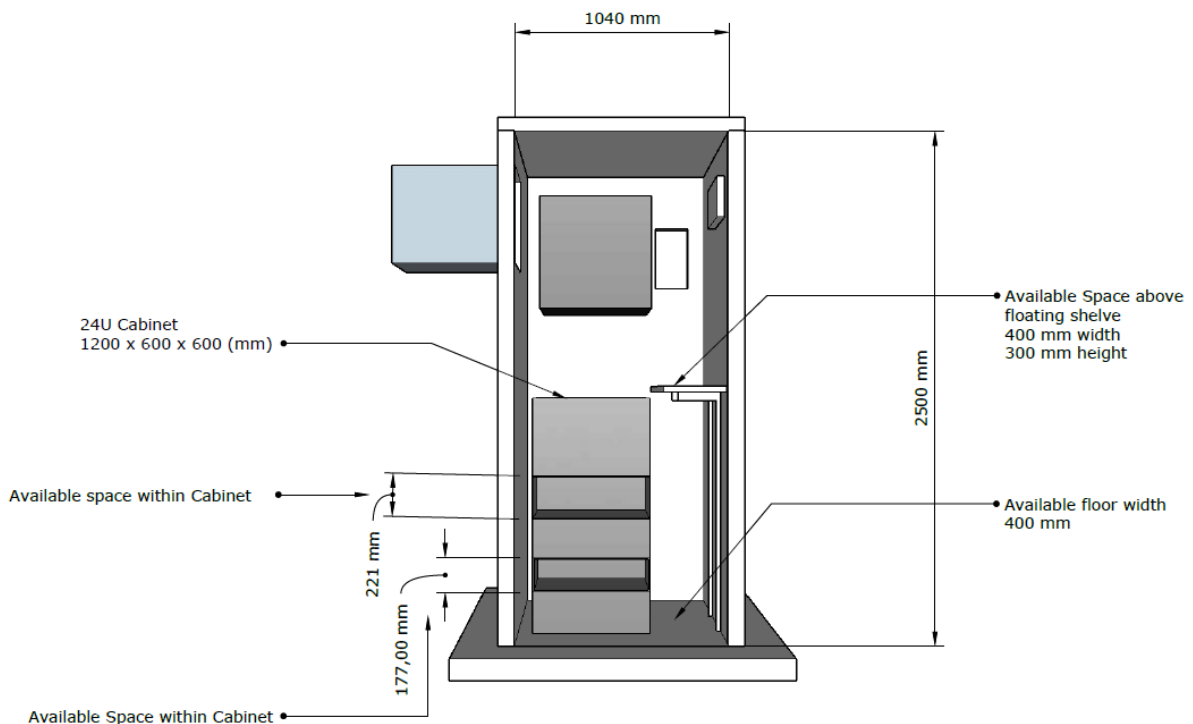
The bidder shall provide calculations detailing the following: “For the specific 10kVA UPS model the bidder proposes, taking into consideration the given load what is the total battery capacity and how many battery packs will the bidder need to carry the full load for a period of 3 hours without depleting the battery capacity to below 30%.” To respond to the above requirement the bidder shall provide a supporting document with the necessary calculation as an appendix to the datasheet document. The bidder shall reference the page number on the below compliance section for ease of reference.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.4 The UPSs batteries shall have a capability to recharge to 90% in battery capacity within a 4-hour period. The bidder shall indicate on the provided datasheet the section that confirms compliance to this requirement.

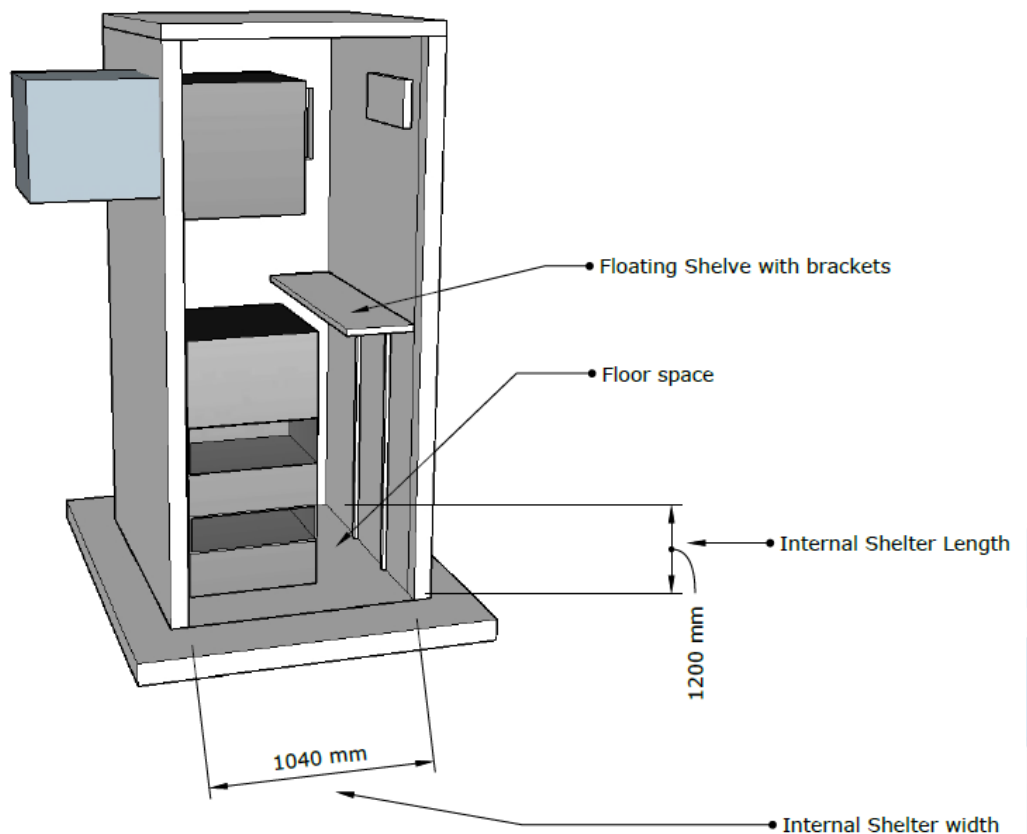
COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.5 The Bidder shall provide a Rack Mountable UPS solution that can fit in the spaces indicated below. The bidder shall indicate compliance to this requirement by proving a datasheet indicating dimensions of the proposed UPS and its associated battery packs.



COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

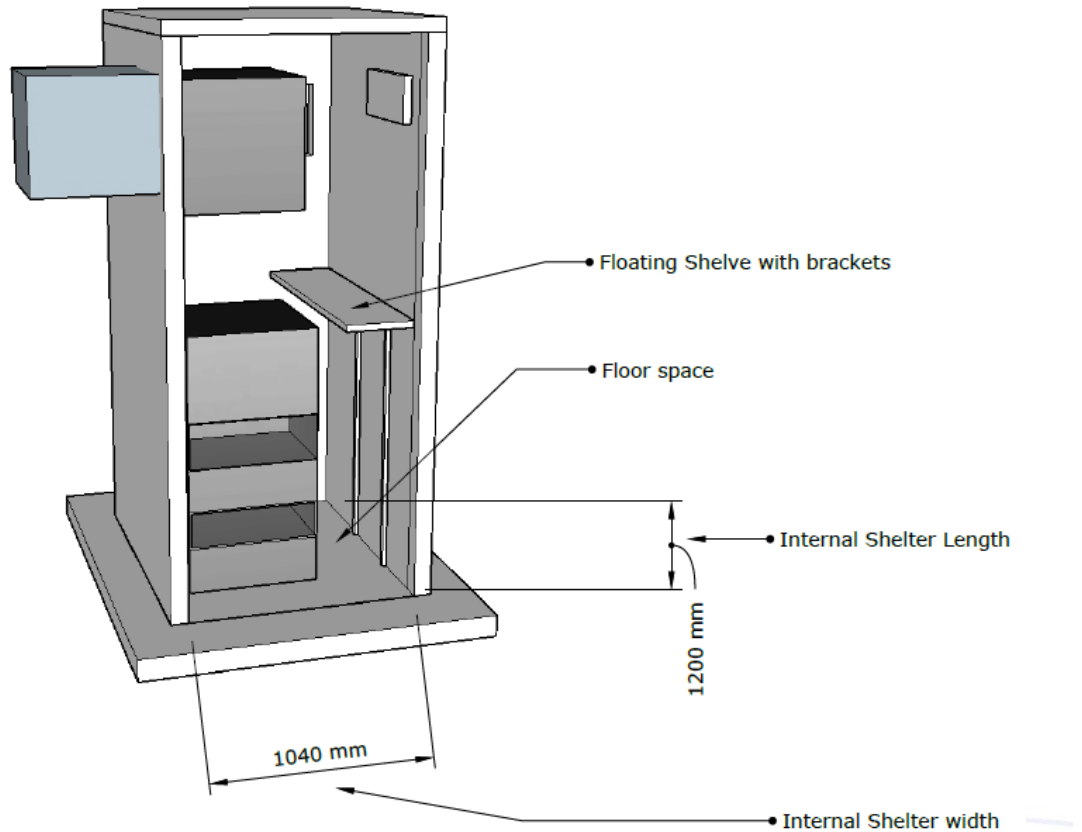
4.6 The Bidder shall provide a floating shelf per site. The floating shelf shall be capable of carrying the supplied UPS weight and its associated battery pack. The floating shelf will be installed in the highlighted space below. The bidder shall indicate compliance to this requirement by providing the floating shelf drawings, datasheet etc.





COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.7 The floating shelf shall include heavy duty L shaped brackets mounted on the shelter wall with a metal base to hold the proposed UPS or additional battery packs. The location of installation shall be the side indicated in the picture below. The bidder shall indicate compliance to this requirement by proving a drawing of the required bracket.



COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.8 The service provider shall take full responsibility of all electrical works pertaining to the installation and commissioning of the three UPSs at each individual site. The electrical installation shall include an isolator switch for each system installed between the equipment and mains power supply. The bidder shall indicate compliance to this requirement by providing a datasheet of the proposed isolator switch.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.9 The electrical installation shall also include sufficient lightning and surge protection as most sites are prone to lightning strikes. The bidder shall indicate compliance to this requirement by providing a datasheet of the proposed lightning and surge protection.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.10 The Service Provider shall ensure that the UPSs to be installed are connected to the current Remote-Control Monitoring System such that the status of these systems can be monitored. The bidder shall confirm compliance to this requirement by confirming that the provided UPS model has dry contacts available to connect to external systems. To prove compliance the bidder shall point to the specific page on the provided datasheet. This will guide the evaluation team on where this information can be obtained.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.11 The Service Provider shall ensure that all cables are labelled, colour coded and include a numerical identifier, cable type, source (unit name, port, location) and destination (unit name, port and location). A proposed interconnection diagram depicting the flow of communication and power between the UPS system components to ATNS equipment remote monitoring unit shall be provided after the installation. All power cables shall be neatly installed inside cable trays and/or ducts as applicable and shall not run parallel to data cables.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.12 The Service Provider shall perform an integrity test before commissioning of the systems.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.13 Once the UPS System has been commissioned at each individual site, the Service Provider shall provide AS Built documents and a COC to ATNS.

COMPLIANCE (C/PC/NC)	
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[INSERT FULL RESPONSE FOR EVALUATION HERE]
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]

4.14 The Bidder shall submit a high-level project schedule and deployment timelines.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.15 Once the UPS System has been commissioned at each individual site, the Service Provider shall provide on-the-job training to ATNS technical staff on the operation and high-level maintenance of the installed UPS system.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.16 The Bidder shall provide individual pricing for each UPS with its associated Electrical Installation Cost in the Pricing and Payment Schedule in Annexure B.

COMPLIANCE (C/PC/NC)	
[INSERT FULL RESPONSE FOR EVALUATION HERE]	
[INSERT REFERENCE TO ADDITIONAL INFORMATION HERE]	

4.17 GENERAL INFORMATION

- All goods offered must comply with applicable South African National Standards (SANS) and South African Bureau of Standards (SABS) requirements. Proof of certification in this effect must be included with the bid.
- The successful tenderer will be responsible for the site to be in a safe and tidy condition throughout the installation 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 representative. The ATNS representative may order the contractor to stop all work, until such time as, in his opinion, this condition has been observed.

4.18 PACKAGING

- Suppliers note that deliveries to ATNS must be in the original equipment manufacturers (OEM'S) packaging, failing which the ATNS reserves the right to reject/ decline such deliveries.

4.19 REJECTION

- If the supplier fails to comply with his/her obligations under the order/contract, ATNS may reject any part of the items by giving written notice to the supplier specifying the reason for rejection and whether and within what period replacement of items or re-work are required.
- In the case of items delivered, ATNS may return the rejected items to the supplier at the supplier's risk and expense.

4.20 FORMAL BRIEFING

A compulsory pre-quotation RFQ briefing will be at Tafelkop, Coordinates: Latitude: -23.631747, Longitude: 27.961025 for a period of ± 1 hours.

- The briefing session will start punctually, and information will not be repeated for the benefit of respondents arriving late.
- Respondents failing to attend the compulsory RFQ briefing will be disqualified.
- Bidders are required to confirm their attendance and to send their contact details including the number of representatives (where Applicable) to the following address:
Thokop@atns.co.za



4.21 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.

Items	Quantity	Unit Price	Total Price
10kva, 3hr back up, Single Phase Uninterrupted Power Supply (UPS)	3		
Installation, testing, and commissioning for new UPSs	Job		
Battery Packs			
Sundries	Sum		
CoC for Electrical Works (CoC for each site)	2		
		Sub-Total	
		VAT @15%	
		VAT Incl.	

Notes:

- All Prices must be quoted in South African Rand, exclusive of VAT.
- 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.
- Provide quoted prices which is inclusive of all items (preparation, material, labour and transport costs).

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



Annexure C: (NORTHERN WAM PROJECT SITES: REGION B)

Table 1. Site Coordinates where the UPSs will be installed.

Ground Station		Site Coordinates	Site Power Status
No.	Name		
GS16	Hoedspruit	24°21'1.68"S, 30°57'4.22"E	NO BACK UP POWER
GS21	Mariepskop	24°32'23.18"S, 30°52'14.24"E	NO BACK UP POWER

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.

THE EVALUATION OF THE RFQ:

STAGE 1	ADMINISTRATIVE REQUIREMENTS
STAGE 2	TECHNICAL EVALUATION
STAGE 3	PRICE AND ATNS SPECIFIC GOALS

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

STAGE 1: ADMINISTRATIVE REQUIREMENTS

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

If the Bidder failed to comply with any of the administrative requirements, or if ATNS is unable to verify whether the administrative 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: FUNCTIONALITY EVALUATION

The WAM UPS RFQ EVALUATION CRITERIA

The bidder is encouraged to note that each requirement contains a certain weight according to its importance. The total sum of the weights is **100%** and there is a set functional threshold of **70%** that the bidder should meet to proceed to the next step of the adjudication process.

Section.	Weight
Capability Assessment Requirements	20%
Technical and Operational Requirements	65%
Integrated Logistics and Support	15%
Total	100%
Overall Threshold	70%

EVALUATION GROUP for CAPABILITY ASSESSMENT		
CRITERIA GUIDELINES FOR APPLICATION WEIGHTING	EVALUATION CRITERIA	WEIGHTING
Requirement 2.1	Non-Compliant = 0% Partial Compliance = 5% Full Compliance = 10%	10%
Requirement 2.2	Non-Compliant = 0% Partial Compliance = 5% Full Compliance = 10%	10%
TOTAL CAPABILITY ASSESMENT SCORE		20%

EVALUATION GROUP for TECHNICAL and OPERATIONAL REQUIREMENTS		
CRITERIA GUIDELINES FOR APPLICATION WEIGHTING	EVALUATION CRITERIA	WEIGHTING
Requirement 2.3	Non-Compliant = 0% Partial Compliance = 5% Full Compliance = 10%	10%
Requirement 2.4	Non-Compliant = 0% Partial Compliance = 2.5% Full Compliance = 5%	5%
Requirement 2.5	Non-Compliant = 0% Partial Compliance = 5% Full Compliance = 10%	10%
Requirement 2.6	Non-Compliant = 0% Partial Compliance = 2.5% Full Compliance = 5%	5%
TECH. AND OPS SCORE		30%

EVALUATION GROUP for TECHNICAL and OPERATIONAL REQUIREMENTS		
CRITERIA GUIDELINES FOR APPLICATION WEIGHTING	EVALUATION CRITERIA	WEIGHTING
Requirement 2.7	Non-Compliant = 0%	5%
	Partial Compliance = 2.5%	
	Full Compliance = 5%	
Requirement 2.8	Non-Compliant = 0%	5%
	Partial Compliance = 2.5%	
	Full Compliance = 5%	
Requirement 2.9	Non-Compliant = 0%	5%
	Partial Compliance = 2.5%	
	Full Compliance = 5%	
Requirement 2.10	Non-Compliant = 0%	5%
	Partial Compliance = 2.5%	
	Full Compliance = 5%	
Requirement 2.11	Non-Compliant = 0%	5%
	Partial Compliance = 2.5%	
	Full Compliance = 5%	
TECH. AND OPS. SCORE		25%

EVALUATION GROUP FOR INTEGRATED LOGISTICS AND SUPPORT REQUIREMENTS		
CRITERIA GUIDELINES FOR APPLICATION WEIGHTING	EVALUATION CRITERIA	WEIGHTING
Requirement 2.12	Non-Compliant = 0%	5%
	Partial Compliance = 2.5%	
	Full Compliance = 5%	
Requirement 2.13	Non-Compliant = 0%	5%
	Partial Compliance = 2.5%	
	Full Compliance = 5%	
Requirement 2.14	Non-Compliant = 0%	5%
	Partial Compliance = 2.5%	
	Full Compliance = 5%	
Requirement 2.15	Non-Compliant = 0%	5%
	Partial Compliance = 2.5%	
	Full Compliance = 5%	
Requirement 2.16	Non-Compliant = 0%	5%
	Partial Compliance = 2.5%	
	Full Compliance = 5%	
INTEGRATED LOGISTICS AND SUPPORT SCORE		25%

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.

PRICE	80
ATNS SPECIFIC GOALS	20

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)	10	<i>(To be completed by the tenderer in SBD 6.1 attached)</i>
30% Black Woman Owned Suppliers. (Section 2(1)(d)(i) of the PPPFA)	10	<i>(To be completed by the tenderer in SBD 6.1 attached)</i>

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**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ATNS SOC LTD					
BID NUMBER:	ATNS/EP/RFQ003/2023/24_ UPS Regional C	CLOSING DATE:	18 August 2023	CLOSING TIME:	12h00
DESCRIPTION	APPOINTMENT OF AN EXPERIENCED SERVICE PROVIDER TO PROVIDE A TECHNICALLY DETAILED PROPOSAL FOR THE SUPPLY, DELIVERY, INSTALLATION, COMMISSIONING AND SUPPORT OF A 10KVA LITHIUM-ION BATTERY UPS AT in HOEDSPRUIT AND MARIEPSKOP ATNS WAM REGION_C SITES.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
RFQ can be sent by email to: RFQs@atns.co.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Thoko Phukubye		CONTACT PERSON		
TELEPHONE NUMBER	011 607 1000		TELEPHONE NUMBER		
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER		
E-MAIL ADDRESS	Thokop@atns.co.za		E-MAIL ADDRESS		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
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	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					



ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<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**

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
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. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO 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.

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 interest¹ 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 consortium² 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 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

² 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.



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
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

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

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:

80/20

or

90/10

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

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)	10	
30% Black Woman Owned Suppliers. (Section 2(1)(d)(i) of the PPPFA)	10	

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.