



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

RFQ REFERENCE NUMBER:	ATNS/RFQ002/FALE/2024/2025
ISSUE DATE:	22 July 2024
CLOSING DATE:	08 August 2024
CLOSING TIME:	11h00, CAT
COMPULSORY BRIEFING SESSION AND SITE INSPECTION:	<p>Date: 31 July 2024</p> <p>Time: 10h00 am, CAT</p> <p>Venue: ATNS Control Tower King Shaka Int. Airport Trade Avenue, Tongaat, Durban</p> <p>GPS Co-ordinates: 29°36'27.8"S 31°06'42.6"E</p>
QUOTATION VALIDITY PERIOD:	60 DAYS
DESCRIPTION:	APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF MAINTENANCE, REPAIR, AND REPLACEMENT OF THE LIFT AT ATNS CONTROL TOWER IN KING SHAKA INTERNATIONAL AIRPORT FOR 12 MONTHS.
RFQ DOCUMENTS MAY BE ADDRESSED TO:	<p>Procurement Specialist (A): Lament Nkadimeng</p> <p>Email address: RFQs@atns.co.za and copy Lamentn@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>NB: All responses must be submitted on the above</p>



	dedicated mailbox. No hand-delivery submissions will be considered.
REQUIRED ADMINISTRATIVE PRE-QUALIFICATION DOCUMENTS	<ul style="list-style-type: none"> • Valid Tax Pin Status • CIPC registration Documents • Central Supplier Database (CSD) Report • Duly completed and signed SBD Forms (SBD1, SBD 4, SBD 6.1)
MANDATORY DOCUMENTS: <i>NB: FAILURE TO SUBMIT ALL OF THESE DOCUMENTS WILL RESULT ON YOUR QUOTATION BEING DISQUALIFIED.</i>	<ul style="list-style-type: none"> • The service provider must have a footprint in KZN • COIDA • Qualifications of personnel • Bidders must submit valid CIBD contractor grading designation of 2 SI or Higher.
<u>PLEASE NOTE:</u>	
ATNS RESERVES THE RIGHT TO APPOINT MORE THAN ONE SERVICE PROVIDERS	
PROCUREMENT SPECIALIST (A):	Lament Nkadimeng
TELEPHONE:	011 607 1218
E-MAIL:	RFQs@atns.co.za and copy Lamentn@atns.co.za
<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. Incomplete/missing documentation will invalidate the proposal submitted. ATNS is not obliged to accept the lowest or any submission received. ATNS reserves the right to accept the whole or any portion of a quotation.</p> <p>This RFQ will be evaluated based on the 80:20 preference point system as stipulated in the ATNS' Procurement Policies and Procedures.</p>	



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 REQUEST FOR QUOTATIONS

1.1 Air Traffic and Navigation Services SOC (herein this document referred to as “ATNS”) seeks to appoint a service provider to supply and deliver the following:

1.1.1 SCOPE OF WORK

Appointment of a service provider for the provision of maintenance, repair, and replacement of the lift.

2. OBJECTIVES

2.1 Single cab, single entry lift operating between Ground floor and Floor 14, maintenance levels at 3, 6,9 &12. ATNS appoints the service provider to supply and deliver lift maintenance, call out, repair, replacement, and any markup percentage for all spares and materials which will cover any failures and ad-hoc services

- OTIS lift capacity 1600kg
- 22 people maximum
- Unit Number 72NE9142
- Building Number L0047

2.2 FALE Control tower currently has an OTIS elevator installed in 2010. This provides access to the KSIA VCR situated on the 16th Floor of the Control tower building.

2.3 The OTIS elevator unit number 72NE9142 installed in building number L0047 has a maximum capacity of 22 people and a rated weight of 1600kg.

2.4 As per OHAS requirements the building elevator is required to be serviced and maintained every month to ensure the unit is safe for all staff, contractors, and visitors to utilize

2.5 An elevator maintenance and support contract is required to ensure that ATNS is compliant with all regulatory and legal obligations as well as to ensure that a service provider can assist should there be any personnel entrapped in the unit during malfunction or faults.



3. THE OVERVIEW OF THE WORKS

- 3.1 The contractor will conduct preventive maintenance every month, attend to breakdowns, and procure spares on ATNS's behalf and ATNS will reimburse at cost plus markup.

4. EXTENT OF THE WORKS

The service provider will be required to execute the following:

- 4.1 Maintain and repair lifts and escalators,
- 4.2 Procure spares on behalf of the employer,
- 4.3 Stock and inventory management
- 4.4 Fulfil all statutory requirements in terms of Occupational Health and Safety Act
- 4.5 Make recommendations about upgrades available in the market.

5. GENERAL CHECKS ON LIFTS

- 5.1 Inspect car interior
- 5.2 Observe starting and stopping for signs of deterioration or malfunctions
- 5.3 Observe floor leveling to ensure it is within tolerance
- 5.4 Check the operation of the car and the landing doors and ensure all reversal devices function properly
- 5.5 Check the operation of all controls within the car, especially the alarm devices
- 5.6 Check the operation of normal and emergency lighting

6. CONTROLLER

- 6.1 Check all electrical connections for tightness.
- 6.2 Ensure ventilation fans and grills are clean and functioning.
- 6.3 Check fuse devices
- 6.4 Keep all parts clean of dust
- 6.5 The condition of relay contacts should be checked to ensure correct operation
- 6.6 Ensure cabinet doors are locked shut after inspection



7. LANDING FIXTURES

- 7.1 Check the operation of all fixtures
- 7.2 Check the operation of the fire service switches

8. LANDING ENTRANCES

- 8.1 Clean the landing door tracks
- 8.2 Check the doors for free operation
- 8.3 Check that the doors will close due to gravity or spring force
- 8.4 Check correct engagement and contact wipe
- 8.5 Check for excessive play in the bottom shoes
- 8.6 Check the condition of the air cords or other coupling devices
- 8.7 Check that bolts and fixing are tight
- 8.8 Check the condition of the panels for damage
- 8.9 Check the glass doors for fractures and replace damaged panels immediately
- 8.10 Check the correct setting of thrust devices
- 8.11 Check fixing bolt of the tracks and seals for tightness
- 8.12 Inspect architraves and trims for damage and tightness

9. GUIDE RAILS

- 9.1 Check that the joints are secured
- 9.2 Remove dirt and dust
- 9.3 Ensure oil pots are full

10. BELTS AND TERMINAL HITCHES

- 10.1 Inspect the main belts for signs of deterioration
- 10.2 Check that all the terminations are tight and secure
- 10.3 Check and adjust the lengths to maintain correct over-runs
- 10.4 Ensure the rope tensions are equal

11. CAR ENTRANCE AND OPERATOR

- 11.1 Clean the car door tracks of all debris
- 11.2 Check that all the fixings are secure



- 11.3 Check the adjustment of the door coupling mechanism and that all components are secure
- 11.4 Check the door shoe for excessive movement or wear
- 11.5 Check the up-thrust devices for minimum clearance
- 11.6 Check the electrical cables for signs of damage
- 11.7 Check the clearance door panels and returns
- 11.8 Check the operation of the door-locking mechanism
- 11.9 Check the door closing speed and force
- 11.10 Check the operation of the door open button and all other reversal devices

12. HOISTWAY SWITCHES

- 12.1 Clean the switches and check arms and rollers for free movement
- 12.2 Check the function of all terminal switches
- 12.3 Check the running clearance of inductors and magnets

13. CAR FRAME EQUIPMENT

- 13.1 Investigate any unusual noise, heat, vibration, or any excessive movement of parts
- 13.2 Check for loose bolts and fixings
- 13.3 Check and ensure that the traction sheave is secure
- 13.4 Inspect the sheave for wear and damage
- 13.5 Check the condition of the electrical connections
- 13.6 Inspect the brake for free operation and minimum lift
- 13.7 Check the machine brake release

14. COUNTERWEIGHT

- 14.1 Check that the weights are properly secured
- 14.2 Check the sheave, frame, comp ropes, chain, and guiding devices
- 14.3 Check the sheave for lubrication
- 14.4 Ensure free operation of any safety gear linkage
- 14.5 Ensure adequate clearance is maintained between safety blocks and rails
- 14.6 Check the safety gear for correct engagement



15. PIT EQUIPMENT

- 15.1 Check the movement of the governor tension device and check the switch
- 15.2 Check the buffer is secure
- 15.3 Check that the compensation chains or free rope compensation are hanging correctly
- 15.4 Ensure all equipment is clean



SUMMARY OF BILL OF QUANTITIES

- Consumables are to be included in the labour cost.
- For repair work done during normal working hours, no additional labour shall be charged. Should the service provider require a third party for a breakdown or repair, the below labour rates shall apply.

No	Item Description	Rate per hour	Total Hours	Monthly Cost	Annual cost
1	Site Manager	R		R	R
2	Lift Mechanic	R		R	R
3	Technical Assistant	R		R	R

SUMMARY PRICING

Description	Amount
Total labour Cost	R
Safety File	R

Labour Rates for Call-outs

Description	Rate per hour	Sunday and Public holidays
Site Manager	R	R
Lift Mechanic	R	R
Technical Assistant	R	R

Working Hours will be (08:00-20:00) and whenever deemed necessary by the Employer.

Mark-Up of 3rd-Party Procurement:

- Spares and sub-contracted work will be charged at cost plus mark-up.
- VAT shall not form part of mark-up calculations.
- Cost shall be the net cost (excluding VAT) of parts supplied to the site with all discounts deducted.



d. Mark-up percentage will be subject to negotiations between the Bidder and ATNS.

Mark-Up

Indicate % Mark-Up on 3rd Party procured items and Services

Value of Item or Services	Mark-Up Percentage
R0 - R2,000	%
R2,001 - R5,000	%
R5,001 - R10,000	%
R10,001 - R50,000	%
Over R50,000	%

SLA Period	Year
	R
ADHOC Labour rates	R
Travel rates	R
Callout rates	
Total Incl. Vat	R



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	MANDATORY REQUIREMENT
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 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

During this stage Bid response documentation will be evaluated against compliance to the Mandatory Specifications. The Mandatory Requirements are listed below, it is important that you submit all the documentation requested below or you will be disqualified. **FAILURE TO SUBMIT ANY OF THE BELOW MANDATORY DOCUMENTS WILL RESULT IN A DISQUALIFICATION AND BIDDER WILL NOT BE EVALUATED FURTHER.**



1. Mandatory Requirement

The service provider must have a footprint in KZN Durban, service provider to support this by providing a utility bill/ lease or lease agreement
Please provide:

2. Mandatory Requirement

The bidding entity is to submit proof of qualification for the Site Manager that has been trade tested in the Trade of Lift Mechanic or Registered Lift Inspector in terms of SANAS.

3. Mandatory Requirement

Bidder to submit proof of qualification for Lift Mechanic which is Lift Mechanic Trade test.

4. Mandatory Requirement

Bidder to submit proof of qualification for Lift Technical Assistance which is a minimum of NQF level 2 qualification in electrical or mechanical.

5. Mandatory Requirement

Bidders must produce a letter of good standing in terms of Compensation for Occupational Injuries and Diseases Act of 1993 (COIDA) or Federated Employee Mutual Assurance (FEMA) Insurance.

6. Mandatory Requirement

Bidders must submit valid CIBD contractor grading designation of 2 SI or Higher.

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 the 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)	20	<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:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON		CONTACT PERSON			
TELEPHONE NUMBER		TELEPHONE NUMBER			
FACSIMILE NUMBER		FACSIMILE NUMBER			



E-MAIL ADDRESS				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]							



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



DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity Number:

.....

2.3 Position occupied in the Company (director, trustee, shareholder²):

.....



2.4 Company Registration Number:
.....

2.5 Tax Reference Number:
.....

2.6 VAT Registration Number:
.....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹“State” means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder **YES / NO**
presently employed by the state?

2.7.1 If so, furnish the following particulars:



Name of person / director / trustee / shareholder/ member:

.....

Name of state institution at which you or the person connected to the bidder is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct **YES / NO**



business with the state in the previous twelve months?

2.8.1 If so, furnish particulars:

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

2.9 Do you, or any person connected with the bidder, have **YES / NO**
any relationship (family, friend, other) with a person
employed by the state and who may be involved with
the evaluation and or adjudication of this bid?

2.9.1 If so, furnish particulars.

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

2.10 Are you, or any person connected with the bidder, **YES/NO**
aware of any relationship (family, friend, other) between
any other bidder and any person employed by the state
who may be involved with the evaluation and or adjudication
of this bid?

2.10.1 If so, furnish particulars.

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

2.11 Do you or any of the directors / trustees / shareholders / members **YES/NO**
of the company have any interest in any other related companies
whether or not they are bidding for this contract?



2.11.1 If so, furnish particulars:

.....

.....

.....

3 Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number



4 DECLARATION

I, THE UNDERSIGNED (NAME).....
CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS
CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF
PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS
DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder



SBD 6.1

**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
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	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
$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$	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)	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.

<p>..... SIGNATURE(S) OF TENDERER(S)</p>	
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.

2. POPIA CONSENT

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

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

3. The service provider acknowledges that he /she is aware of his/her right to:

- 3.1.1 Access the information at any reasonable time for the purposes of rectification thereof.
3.1.2 Object to the processing of the information.
3.1.3 Lodge a complaint with the Information Regulator.