

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

| | |
|---|---|
| RFQ REFERENCE NUMBER: | ATNS/FAEL/RFQ24/2023/24_ PAVING |
| ISSUE DATE: | 02 August 2023 |
| CLOSING DATE: | 09 August 2023 |
| CLOSING TIME: | 15h00, CAT |
| COMPULSORY BRIEFING SESSION: | N/A |
| QUOTATION VALIDITY PERIOD: | 60 Days |
| DESCRIPTION: | APPOINTMENT OF AN EXPERIENCED SERVICE PROVIDER FOR THE SUPPLY, DELIVERY, AND INSTALLATION OF CONCRETE PAVING TILES AROUND THE VOR AND VDF TEST POINTS AT KING PHALO AIRPORT AND MTHATHA AIRPORT. |
| RFQ DOCUMENTS MAY BE ADDRESSED TO: | <p>Procurement Graduate: Simphiwe Qwabe</p> <p>Email address: RFQs@atns.co.za</p> <p>NB: Please note our emails can only receive documents that are less than 40MB, if documents are more, please send them in separate emails</p> |
| REQUIRED RETURNABLE DOCUMENTS | <ul style="list-style-type: none"> • Central Supplier Database (CSD) Report • Duly completed and signed SBD Forms (SBD1, SBD 4, SBD 6.1, SBD 6.2) • General conditions of contracts (GCCs) - Initialled and signed. |



| | |
|---|--|
| | <ul style="list-style-type: none"> • ATNS Completed the pricing schedule |
| <p>REQUIRED ADMINISTRATIVE PRE-QUALIFICATION 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> | <ul style="list-style-type: none"> • Provide three (3) proofs of previous similar works with contactable references. References must be in the form of signed reference letters on a client’s business letterhead stating the scope and description of the services rendered, contract duration, contact name, Contact number, and, the position of the referee. Reference letters must not be older than 5 years by the closing date of this RFQ • Proof of qualification for construction work or equivalent. • Supplier must be registered with the Construction Industry Development Board (CIDB) with a rating of 1GB or higher, supported by a valid certificate or document confirming such registration and grading. |



PLEASE NOTE:

ATNS RESERVES THE RIGHT TO APPOINT MORE THAN ONE SERVICE PROVIDERS

| | |
|-----------------------------|--|
| PROCUREMENT OFFICER: | Simphiwe Qwabe |
| TELEPHONE: | 011 607 1475 |
| E-MAIL: | <u>RFQs@atns.co.za</u> |

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.

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 REQUEST FOR QUOTATIONS

- 1.1 Air Traffic and Navigation Services SOC (herein this document referred to as “ATNS”) seeks to identify and appoint suitable supplier for the supply, delivery and installation concrete paving tiles around the VOR and VDF test points at King Phalo Airport and Mthatha Airport.
- 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 ROLE AND OBJECTIVES

The maintenance of infrastructure is a fundamental requirement to ensure sustainable, safe and efficient use of the company assets. ATNS is required to plan, develop, and maintain infrastructure. Due to the complex nature of some of the designs, specifications, and services, it is not possible to offer all needs in-house, hence the need to outsource to external service providers.

2.2 SCOPE OF WORK

The successful service provider will be required to perform the following services:

- Clear vegetation, rubble and other obstructions pointed out by the Engineer's representative in the site.
- Supply, Delivery, and Installation of new 500x500 x 48mm concrete paving tiles as per requirements below.
- Levelling the ground and compacting the soil
- Adding the paver edging
- The paving must have a minimum lifespan of 5 years.


- Supplier must provide 1 year guarantee of workmanship, should there be any signs of paving being damaged supplier must fix at no extra cost.
- Source and supply all the necessary materials and bring together every expertise and control necessary to ensure a successful project in the minimum amount of time, while placing a huge emphasis on working closely with ATNS Project Manager, and by keeping all informed of the progress of the various jobs and providing regular updates on their team, progress reports and close out reports to ATNS Management.
- Remove all rubble from site and dispose accordingly as per the bylaws of the city. Contractor will be required to produce dumping certificate upon completion of the work.
- The Bidder shall compile and supply a Safety File prior to being allowed to work on site. The Tenderer shall cost for the Safety File. The Safety File shall include all applicable documents as per the format provided by ATNS.
- The bidder shall have all relevant insurances for working in heights and provide its own safety officer

3. SPECIFICATIONS

For detailed Specifications please see Annexure A and Costing schedules are listed in Annexure B.

3.1 Detailed Specifications

Please quote for the same items or equivalent items. If you have quoted equivalent items, please send datasheets.

| | | Item Description | | |
|--|---|------------------|--|--|
| Item | Specification | Qty | Pictures | |
| Unique Stone Landscape Paver - Sandstone | <p>There are 54 test points, and the concrete pavers must have the following specifications.</p> <ul style="list-style-type: none"> • Product type: Paver • Material: Concrete • Size: 500 x 500 x 48mm • Colour: Raven/ Sandstone • Long lasting weather resistant • Area to be paved around each test point: 2m x 2m. • Total area to be paved: 216 square meters. | 864 |  | |

3.2 GENERAL INFORMATION

- Pictures in this RFQ document serve as a representation of the required goods for ease of reference only. They are meant to complement the descriptions in keeping with the ATNS's envisaged requirements.
- Tenderers must note that wherever this document refers to any particular trademark, name, patent, design, type, specific origin, or producer, such reference shall be deemed to be accompanied by the words 'or equivalent.'

3.3 MATERIALS

All material used must be SABS approved and shall be of the same or better class as the existing. The contractor is responsible for all materials needed for the tasks. All materials must be pre-approved before the installation of the material.

3.4 INSPECTIONS

Inspections will be carried out by the ATNS representative to ensure that the work is carried out to satisfaction and in line with the Work Specification and the method statement provided by the Tenderer and accepted by ATNS.



3.5 ACCOMMODATION

No accommodation camp can be set up at the sites; the Contractor must make his/her own arrangements for staff accommodation, should that be required.

3.6 POWER SUPPLY AND OTHER SERVICES

The contractor shall make his own arrangements regarding the supply of electrical power and all other services. No direct payment will be made for the provision of electrical and other services. The cost thereof shall be deemed to be included in the rates and amounts tendered for the various items of work for which these services are required.

3.7 WATER FOR CONSTRUCTION PURPOSES

The contractor shall make his own arrangements regarding a suitable supply of water for the project, and he must make adequate provision in his tender for all negotiations and procurement of water for construction activities, and all related costs will be deemed to be included in his tendered rates.

3.8 SITE ESTABLISHMENT

- The contractor shall be solely responsible for the safety of his staff and for providing security to safeguard his works and material on site, until such a time.
- The contractor shall be required to attend site meetings when convened by the Project Leader controlling the contract.
- The contractor will be responsible for any damage caused by his staff on site.

3.9 PPACKAGING

- Packaging must be presentable and well-packaged to be locally or nationally delivered.
- Suppliers are to 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.

3.10 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 is required.

- In the case of items delivered, ATNS may return the rejected items to the supplier at the supplier's risk and expense.

3.11 SAFETY

On appointment, the successful tenderer must submit a SHE file complying with the latest amendment of the Occupational Health and Safety Act and Regulations. The contractor will only be issued with a site access certificate once his SHE file has been approved and accepted by ATNS. It is therefore of utmost importance that the SHE files get approved before any delivery to the site is considered, to prevent unnecessary delays and standing time at the Airport entrance gate.

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

- Site-specific risk assessment
- Site-specific method statement
- Waste Management Plan
- Valid medical certificate of fitness for all employees on site, issued by an occupational health practitioner.
- Environmental Method Statement
- Proof of Competency for the duly appointed competent staff on site
- Records of the health and safety induction training about the site
- ID copies for employees on site
- The PPE register for the site essential PPE, i.e., life jackets, safety harnesses, etc., issued to employees on site.
- Letter of good standing with the Department of Labour in terms of the Compensation fund

The successful tenderer will be responsible for the site to be in a safe and tidy condition throughout the demolition, removal, and construction 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

Figure 1: Example of a VDF and VOR test points that require paving.



ANNEXURE B: PRICING SCHEDULES.

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

| Items Description | | Quantity | Unit Price | Total Price |
|-----------------------------------|---|----------|------------|-------------|
| East London VOR Test Point | | | | |
| 1. | Clear vegetation, rubble, and other obstructions | Job | | |
| 2. | Supply and Delivery of new 500x500 x 48mm concrete paving tiles | | | |
| 3. | Concrete paving tiles installation (Including leveling the ground and compacting the soil and adding the paver edging) | Job | | |
| 4. | Sundries (Service provide to provide a detailed breakdown of their quotations) | Sum | | |
| East London VHF Test Point | | | | |
| 5. | Clear vegetation, rubble, and other obstructions | | | |
| 6. | Supply and Delivery of new 500x500 x 48mm concrete paving tiles | | | |
| 7. | Concrete paving tiles installation | | | |

| Items Description | | Quantity | Unit Price | Total Price |
|-------------------------------|---|----------|------------|-------------|
| | (Including leveling the ground and compacting the soil and adding the paver edging) | | | |
| 8. | Sundries (Service provide to provide a detailed breakdown of their quotations) | | | |
| Mthatha VOR Test Point | | | | |
| 9. | Clear vegetation, rubble, and other obstructions | | | |
| 10. | Supply and Delivery of new 500x500 x 48mm concrete paving tiles | | | |
| 11. | Concrete paving tiles installation (Including leveling the ground and compacting the soil and adding the paver edging) | | | |
| 12. | Sundries (Service provide to provide a detailed breakdown of their quotations) | | | |
| Mthatha VHF Test Point | | | | |
| 13. | Clear vegetation, rubble, and other obstructions | | | |

| Items Description | Quantity | Unit Price | Total Price |
|---|----------|------------|-------------|
| 14. Supply and Delivery of new 500x500 x 48mm concrete paving tiles | | | |
| 15. Concrete paving tiles installation (Including leveling the ground and compacting the soil and adding the paver edging) | | | |
| 16. Sundries (Service provide to provide a detailed breakdown of their quotations) | | | |
| Sub-Total | | | |
| VAT @15% | | | |
| VAT Incl. | | | |

Notes:

- All Prices must be quoted in South African Rands, exclusive of VAT.
- To facilitate like-for-like comparison, bidders must submit pricing strictly in accordance with this price schedule and not utilize a different format. Deviation from this pricing schedule will result in a bid being disqualified.
- Provide quoted prices that are inclusive of all items (preparation, material, labor, 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: DELIVERY ADDRESSES

Table 1

| Location | Address | South | East |
|---------------------|--|------------------------|-----------------------|
| Radar Site | Santa/Buffalo Pass Rd, Umtiza Farm East London | -33°01'41" | 27°,47'57" |
| East London Airport | King Phalo Airport 66 Settler's Way Greenfields East London | -33°01'58" | 27°,49'26" |
| Mthatha Airport | Mthatha Airport R61 Road Mthatha | -31° 32' 47.99" | 28° 40' 23.99" |



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.

The partnership must be in the form of a 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:

| | |
|----------------|--|
| STAGE 1 | ADMINISTRATIVE PRE-QUALIFICATION REQUIREMENTS |
| STAGE 2 | MANDATORY REQUIREMENTS |
| 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 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 IN YOUR QUOTATION BEING DISQUALIFIED

| Mandatory Criteria | Proof Required |
|---|----------------|
| Provide three (3) proofs of previous similar works with contactable references. References must be in the form of signed reference letters on a client's business letterhead stating the scope and description of the services rendered, contract duration, contact name, Contact number, and position of the referee. Reference letters must not be older than 5 years by the closing date of this RFQ | Yes |
| Proof of qualification for construction work or equivalent. | Yes |
| A supplier must be registered with the Construction Industry Development Board (CIDB) with a rating of 1GB or higher, supported by a valid certificate or document confirming such registration and grading | Yes |

STAGE 3: PRICE AND ATNS SPECIFIC GOALS:

Evaluation of 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 | |
| | | |

This RFQ will be evaluated according to the above ATNS-specific goals. Failure to submit supporting documents may result in 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 has 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. Tenderers should accept that their tender response is on the basis and reliance on its 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 THE REQUIREMENTS OF THE ATNS SOC LTD | | | | | |
| BID NUMBER: | ATNS/FAEL/RFQ23/2023/24_ PAVING | CLOSING DATE: | 09 August 2023 | CLOSING TIME: | 15h00 |
| DESCRIPTION | Appointment of an experienced service provider for the supply, delivery, and installation of concrete paving tiles around the VOR and VDF test points at King Phalo Airport and Mthatha Airport. | | | | |
| 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 | Simphiwe Qwabe | | CONTACT PERSON | | |
| TELEPHONE NUMBER | 011 607 1475 | | TELEPHONE NUMBER | | |
| FACSIMILE NUMBER | N/A | | FACSIMILE NUMBER | | |
| E-MAIL ADDRESS | Simphiweg@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] |
|--|--|---|--|

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:

| | | |
|---------------------------------|---------------|-------------|
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BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offer 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 is 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 proprietors/directors/trustees/shareholders/members/ partners or any person having a controlling interest in the enterprise, in the table below.

| Full Name | Identity Number | Name of a 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 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, or 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

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.



- 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, suspicious bids 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:

| | | |
|---------------------------------|---------------|-------------|
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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 a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim regarding preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

- Ps = Points scored for the price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS



- 4.1. In terms of Regulations 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 | <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 | |
| | | |

DECLARATION WITH REGARD TO COMPANY/FIRM

| | | |
|---------------------------------|---------------|-------------|
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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 authorized 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 the 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 favorable 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: | |
| | |
| | |
| | |



SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, and Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8. (2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two-stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS-approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

- x is the imported content in Rand
y is the bid price in Rand excluding value-added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.



The SABS-approved technical specification number SATS 1286:2011 is accessible at [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;
2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

| <u>Description of services, works, or goods</u> | <u>Stipulated minimum threshold</u> |
|---|-------------------------------------|
| _____ | _____ % |
| _____ | _____ % |
| _____ | _____ % |

3. Does any portion of the goods or services offered have any imported content?
(Tick applicable box)

| | | | |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

- 3..1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information are accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

| Currency | Rates of exchange |
|----------------|-------------------|
| US Dollar | |
| Pound Sterling | |
| Euro | |
| Yen | |
| Other | |

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):
.....

NB

- 1 The obligation to complete, duly sign, and submit this declaration cannot be transferred to an external authorized representative, auditor, or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D, and E) is accessible at <http://www.thdti.gov.za/industrial-development/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D, and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
 - (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in



paragraph 4.1 above, and the information contained in Declaration D and E which has been consolidated in Declaration C:

| | |
|--|---|
| Bid price, excluding VAT (y) | R |
| Imported content (x), as calculated in terms of SATS 1286:2011 | R |
| Stipulated minimum threshold for local content (paragraph 3 above) | |
| Local content %, as calculated in terms of SATS 1286:2011 | |

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product have been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above, and the information contained in Declarations D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

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 authorization, 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 have/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 authorized 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 organizational measures shall be taken by it/them to prevent –

1.3.2.1 the unauthorized 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 unauthorized, 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 the 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 unauthorized 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 publicize 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.