

**AIR TRAFFIC AND NAVIGATION SERVICES SOC. LTD**

**REPUBLIC OF SOUTH AFRICA**



**REQUEST FOR PROPOSALS: ATNS/FACT/RFP048/FY22.23/DIESEL GENERATORS**

**AIR TRAFFIC AND NAVIGATION SERVICE INVITES TENDERS FOR APPOINTMENT OF A SERVICE PROVIDER TO RENDER SERVICE AND MAINTENANCE OF DIESEL GENERATORS AT CAPE TOWN INTERNATIONAL AIRPORT AND ATNS FACTS SITES FOR A PERIOD OF FIVE (5) YEARS.**

**NOVEMBER 2022**

**The information contained within this document is confidential to ATNS in all respects and it is hereby acknowledged that the information as provided shall only be used for the preparation of a response to this document. The information furnished will not be used for any other purpose than stated and that the information will not directly or indirectly, by agent, employee or representative, be disclosed either in whole or in part, to any other third party without the express written consent by the Company or its representative.**

**AIR TRAFFIC AND NAVIGATION SERVICE INVITES TENDERS FOR APPOINTMENT OF A SERVICE PROVIDER TO RENDER SERVICE AND MAINTENANCE OF DIESEL GENERATORS AT CAPE TOWN INTERNATIONAL AIRPORT AND ATNS FACTS SITES FOR A PERIOD OF FIVE (5) YEARS.**

<b>RFP REFERENCE NUMBER:</b>	<b>ATNS/FACT/RFP048/FY22.23/DIESEL GENERATORS</b>
<b>CLOSING DATE:</b>	08 December 2022
<b>CLOSING TIME:</b>	12h00, CAT (no late, electronic and or facsimile responses will be accepted)
<b>COMPULSORY BRIEFING MEETING</b>	N/A.
<b>BID VALIDITY PERIOD:</b>	180 days (Commencing from the closing date)
<b>RETURNABLE DOCUMENTS</b>	<ul style="list-style-type: none"> <li>• <b>VALID TAX COMPLIANCE REPORT AND AND SARS PIN</b></li> <li>• <b>VALID B-BBEE CERTIFICATE (SANAS APPROVED) OR SWORN AFFIDAVIT</b></li> <li>• <b>LATEST CSD REPORT</b></li> <li>• <b>FULLY COMPLETE AND SIGNED SBD FORMS.</b></li> </ul>
<b>DESCRIPTION:</b>	Air Traffic and Navigation Service invites tenders for appointment of a service provider to render service and maintenance of diesel generators at Cape Town International Airport and ATNS FACTS sites for a period of five (5) years
<b>DEPOSITED IN THE BID BOX SITUATED AT:</b>	<p>ATNS Company Limited, Eastgate Office Park, Block C, South Boulevard Road, Bruma,2298</p> <p>OR</p> <p>Should a bidder require to submit their documents online, they must send an email to <a href="mailto:tenders@atns.co.za">tenders@atns.co.za</a> to express their interest to do so. On the email Bidders must specify on the subject line – the tender number and description.</p>
<b>PROCUREMENT SPECIALIST:</b>	Busisiwe Molapisi
<b>TELEPHONE:</b>	<b>(NB due to COVID 19 Pandemic, only contact via e-mail.</b>
<b>E-MAIL:</b>	<a href="mailto:BusisiweMo@atns.co.za">BusisiweMo@atns.co.za</a>

**THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO SHALL RESULT IN YOUR BID BEING DISQUALIFIED)**

**BIDDING STRUCTURE**

Indicate the type of Bidding/Biding 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	

<b>HAS AN ORIGINAL VALID TAX COMPLIANCE REPORT AND PIN REPORT BEEN SUBMITTED FOR CONSORTIUM, JOINT VENTURE AND/OR SUB CONTRACTORS</b>	
<b>YES</b>	<b>NO</b>

<b>PLEASE INDICATE THE TYPE OF YOUR COMPANY E.G. PRIVATE COMPANY OR CLOSED CORPORATION OR OTHER</b>	
Indicate the Type of Company	

**SIGNATURE OF BIDDER:**

..... DATE: .....

.....  
CAPACITY UNDER WHICH THIS BID IS SIGNED:

**IMPORTANT NOTICE**

The information contained herein, is given without any liability whatsoever to Air Traffic & Navigation Services Company Limited (ATNS) and no representation or warranty, express or implied, is made as to the accuracy, completeness or thoroughness of the content of this Request for Bid (RFB).

This RFB is for the confidential use of only those persons/companies who are participants of this RFB. Each recipient acknowledges that the contents of this RFB are confidential and agrees that it will not without the prior written consent of ATNS, reproduce, use or disclose such information in whole or in part, to any other party other than as required by law or other regulatory requirements.

The Bidder shall bear all costs incurred by him in connection with the preparation and submission of his Bid Response and for finalisation of the contract and the attachments thereof. ATNS will in no case be responsible for payment to the Bidder for these costs.

The Company reserves the right to reject any or all Bids, to undertake discussions with one or more Bidders, and to accept that Bid or modified Bid which in its sole judgment, will be most advantageous to the Company, price and other evaluation factors having been considered.

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## **1 GENERAL INFORMATION AND INSTRUCTIONS TO BIDDERS**

### **1.1 *Background and Introduction***

The Air Traffic and Navigation Services (ATNS) Company of South Africa is the major provider of air traffic management, communication, surveillance, navigation and associated services (including training) within South Africa. ATNS manages 10% of the world's airspace.

Standing strong with over 1100 employees, ATNS strives to continuously provide safe airspace, orderly, expeditious and efficient management of Air Traffic Management services. The company operates at 21 aerodromes within the country, including OR Tambo, Cape Town and King Shaka International Airports.

In the rest of the African Continent, ATNS provides amongst others the Aeronautical Satellite Communication (VSAT) networks.

This service extends from Cape to Cairo interconnecting more than 33 states in Africa and Middle East. Other services include ATS and technical training, WGS 84 surveys, airspace design, AIP documentation, billing and consultancy services.

#### **Vision**

ATNS's Vision is to be the preferred supplier of air traffic management solutions and associated services to the African continent and selected international markets.

#### **Mission**

Our Mission is to provide safe, expeditious and efficient air traffic management solutions and associated services, whilst ensuring long-term economic, social and environmental sustainability.

- Our business is driven through our embedded Values, being:
- Accountability
- Safety and customer service
- Continuous improvement and innovation
- Employee engagement and development
- Fairness and consistency
- Open and effective communication

The Air Traffic and Navigation Service Company Limited (ATNS) is a State-Owned Company (SOC), established in 1993 in terms of the ATNS Company Act (Act 45 of 1993) to provide air traffic management solutions and associated services on behalf of the State. These services accord with International Civil Aviation Organisation (ICAO) standards and recommended practices, and the South African Civil Aviation Regulations and Technical Standards. As an air navigation services provider (ANSP), ATNS is governed by the nation's legislative and administrative framework.

ATNS is also a commercialised ANSP operating on the "user pays" principle that relies on current revenues and debt funding for its operational and capital expenditure requirements.

Our business offerings are divided into Regulated and non-regulated activities:



### **Regulated Business**

At present 90% of ATNS's revenue is facilitated through its regulated business:

#### **Air navigation services and infrastructure**

The principal activities of ATNS's regulated business encompass the planning, operating and maintenance of safe and efficient air traffic management services in the airspace for which the State is responsible. Airspace infrastructure consists of the following main components:

- Communications, navigation and surveillance (CNS) infrastructure.
- Auxiliary aviation services, such as aeronautical information publications, flight procedure design and aeronautical surveys.
- Air traffic management.

ATNS's infrastructure development is informed by user expectations and regulatory requirements at a global level; as well as the needs of the air traffic management (ATM) community and new enabling technologies.

#### **Air traffic service charges**

As a monopoly service provider, ATNS is regulated economically by the Economic Regulating Committee (RC) that is a statutory body formed and appointed by the Shareholder, the Department of Transport (DoT). The RC is empowered by the ATNS Company Act (Act 45 of 1993) to issue permission to ATNS. The permission regulates the increase in specified tariffs that ATNS can issue and lays down minimum service standards requirements for the regulated business. ATNS is, through the permission, authorised to levy air traffic service charges on users (aircraft operators) for the use of air navigation infrastructure and/or the provision of an air traffic service. The permission has a five-year life span.

#### **Training institution**

ATNS runs a successful training institution as a division within the Company, namely: the Aviation Training Academy (ATA). The ATA provides a full range of air traffic services training, technical support training and related training to delegates in South Africa and the broader African continent in the disciplines of engineering, air traffic services and management. The ATA is an ISO9001:2000 accredited institution and has international cooperation agreements in place with partners, enabling the academy to maintain mutually beneficial partnerships in the presentation and accreditation of international courses in air traffic services (ATS). The ATA is a world-renowned academy, and in both 2012 and 2013 was formally recognized as the International Air Transport Association (IATA) Worldwide Top Regional Training Partner.

### **Non-Regulated Business**

ATNS's non-regulated business currently contributes 10% of the Company's revenue. The non-regulated business encompasses a long-term strategy to facilitate regional expansion through a subsidiary vehicle presently known as "ATNS International". ATNS International will enable the Company to take a more robust and agile stance in the non-regulated business market without posing undue risks to its regulated market and Shareholder. It will also enable ATNS to enter into joint ventures and partnerships with

external suppliers so that the Company can harness more valuable market opportunities and extend its regional influence and reach.

Additional information is available on ATNS website – [www.atns.co.za](http://www.atns.co.za)

## **1.2 Purpose of the Bid**

Air Traffic and Navigation Service invites tenders for appointment of a service provider to render service and maintenance of diesel generators at Cape Town International Airport and ATNS FACTS sites for a period of five (5) years.

## **2 ROLES AND OBJECTIVES**

- The objective of this bid is to appoint a suitable Diesel Generator maintenance service provider that can provide assurance to ATNS Management in discharging its responsibilities regarding servicing and maintaining Diesel Generators at all sites. The bidder must demonstrate the capability to perform effective service & maintenance of Diesel Generators at our sites in accordance with all legal and statutory requirements.
- The Service & Maintenance of Diesel Generators at ATNS site's function is to assist ATNS to accomplish its risk management objectives by ensuring the optimal performance on equipment to achieve their mandate of providing services at ATNS and stakeholders.

### **2.1 DURATION OF THE CONTRACT**

- Service providers are herewith invited to submit tender application for support, service & maintain Diesel generators for a period of 60 Months at the ATNS FACT Sites.

### **2.2 THE PROPOSAL SHOULD BE FOR THE FOLLOWING:**

- Development of the risk based five year rolling plan for Service, maintenance, and support of Diesel Generators at the following sites: Ops, SSS and Sutherland Buildings.
- 6 Monthly Service and Maintenance of all Diesel Generators at FACT Tower Complex, SSS, and Sutherland for ATNS.

### **2.5 GENERAL REQUIREMENTS**

- 2.5.1** Contractor shall provide all scaffolding, rope access, cantilever, safety gear and lifting equipment on site at Sutherland.
- 2.5.2** Provide all materials, labour, and transport to complete the activities, the removal of existing items/units and the installation of the new items/units.
- 2.5.3** Provide quoted prices which is inclusive of all items (preparation, material, labour and transport costs).
- 2.5.4** Provide quoted price which Include VAT and be valid for 180 days or more from closing date of the quotation.
- 2.5.5** The supplier must create and submit an OHS Safety file.

## **2.6 QUALITY STANDARDS**

- 2.6.1** The delivery of services to ATNS Shall be carried out with best quality and to a high class of workmanship.
- 2.6.2** All work shall be carried out in accordance with prevailing industry norms and best practice and will at all times comply with OEM requirements.
- 2.6.3** The Company reserves the right to inspect all equipment/tools at any time and to prevent/prohibit their use, without any penalty to the Company and without affecting the terms of the Contract in any way.
- 2.6.4** All work shall conform to all relevant standards, OHS ACT regulations and all other legislation that might be relevant to this Contract and the execution thereof.

## **2.7 CONTRACT RESPONSIBILITIES**

- 2.7.1** Provide all the necessary skills, resources, tools, equipment, and experts, to carry out the works.
- 2.7.2** Review, familiarize and understand the proposed sites including all constraints and environmental factors.
- 2.7.3** Review, familiarize and understand the operational requirements of the facilities at all ATNS sites.
- 2.7.4** Conduct any other reasonable works required to successfully deliver the services to the Employer on time, on budget, at the accepted quality.
- 2.7.5** The Contractor will be responsible for holding all tools and/or special equipment that might be required for the execution of the works.
- 2.7.6** The Company reserves the right to inspect all equipment/tools at any time and to prevent/prohibit their use, without any penalty to the Company and without affecting the terms of the Contract in any way.

## **3 SCOPE OF WORK IN DETAIL**

**3.1 The successful service provider will be required to perform the activities below: The Diesel Generator 6 Monthly Services includes but not limited to the following activities:**

- Replace the air filters.
- Check all the lubrication points and lubricate as required.
- Clean the plant and its components as necessary.
- Grease and oil moving parts, as necessary.
- Replace the lubricating oil, and oil filter elements at recommended intervals (we recommend every 1 year or 250 hours, whichever occurs first). The readings on the engine running hour meter shall determine the number of hours run by the plant between oil changes.
- Check and adjust the valve settings and the fuel injection equipment, as necessary.
- Check the batteries and top-up the electrolyte, as necessary.

- Report to the Customer on any part that has become unserviceable for any reason and as soon as possible submit to the customer a quotation for the repair or replacement of the part.
- Advise the Customer when a minor or major engine/alternator overhaul is due and submit a quotation for this service.
- Check and adjust battery charger voltage/current settings.
- Check and adjust alternator output voltage.
- Check operation and setting of cooling water pre-heater.
- Check operation of pre-lube pump.
- Check operation of fuel day tank pumps.
- Check operation and setting of genset protections and alarms.
- Operate the plant off load and immediately thereafter on load for 15 minutes at the end of each visit. The Contractor must give appropriate warnings to the customer.
- Top-up the fuel tank to the "full" mark at the end of the test run, utilising, if available, fuel supplied by the customer.
- Ensure that the bypass switch is set to "Standby" and that the duty selector switch is set to "Auto" before leaving the standby plant room.
- Enter in the logbook in the standby plant room the date of the visit, the tests carried out, the adjustments made and any other details that may be appropriate.

**3.2 Servicing and Maintenance of Generators**

Service & Maintenance of Diesel Generator units will be performed at the following sites.

Location	MAKE	MODEL	Rating kVA	S/N	ADDRESS
Cape Town International Airport - ATNS Control Centre Substation 1	Perkins	2300 Series	400	FGD061017U1130J	Cape Town International Airport, 1 Tower Road,7525
Cape Town International Airport - ATNS Control Centre Substation 2	Perkins	2300 Series	400	FGD061017U1060J	Cape Town International Airport, 1 Tower Road,7525
Cape Town International Airport - ATNS	Perkins	YB37527	135	U800820J	Cape Town International Airport, 1

Control Centre, SSS Plant 1					Tower Road,7525
Cape Town International Airport - ATNS Control Centre, SSS Plant 1	Perkins	YB37527	135	U800646J	Cape Town International Airport, 1 Tower Road,7525
Cape Town International Airport - ATNS Control Centre S-Band 2 Radar Site 2	John Deere	6068HF158R	150	CD6068C104429	Cape Town International Airport, 1 Tower Road,7525
Sutherland	AGG Engine	DSE 7320 MKII AMF	80	AS4300-H5699	Sutherland
Ceres	John Deere	n/a	25	n/a	Ceres

- Execution and maintenance of the Generator service plan; (Routine Checks are to be done every six (6) months)
- Attendance and reporting to the ATNS FACT Management on a six-monthly basis for any significant findings identified during the service and maintenance activities.
- The performance of any other AD-HOC requirement requested by management on quotation basis (Provide labour pricing Rates over five years).
- AD-HOC Diesel Generator Underground tanks cleaning (Provide pricing Rates over five years)
- Provide callout and emergency support (Provide pricing Rates over three years)
- Carry out any additional work over and above the scheduled maintenance service, which ATNS may require to maintain the plant in a proper and safe working condition. (Provide labour pricing Rates over five years) (Provide parts required invoice and contractor's mark-up percentage (%))
- Supply any parts or components that may be required for that purpose, during the period of this agreement. (Routine parts shall be included in pricing structure, additional parts shall be quoted for as per 6 above.
  
- Provide hired diesel generator sets when necessary or requested subject to approval of a quotation. (Provide pricing Rates over five years for 20KV, 40KVA, 80KVA Generator Sets or Equivalent).

**NB: All diesel Generators' maintenance service reports and working papers shall remain the property of ATNS. In carrying out the work, the successful service provider must ensure that their staff will obtain and maintain ACSA permanent permits for access to airside.**

## **4 4. GENERAL BID INSTRUCTIONS AND ADMINISTRATIVE REQUIREMENTS**

### **4.1 Correspondence during Bid Period**

All correspondence, in the "Form of Questionnaire" with the Company during the Bidding period in connection with the Bid Documents, shall be made as follows:

- 4.1.1** All correspondence to ATNS shall be in writing and addressed to:  
Procurement Specialist: Busisiwe Molapisi - [BusisiweMo@atns.co.za](mailto:BusisiweMo@atns.co.za)

ATNS SOC Limited,  
Eastgate Office Park, Block C,  
South Boulevard Road,  
Bruma  
2298  
South Africa

- 4.1.2** All correspondence shall be made as follows:

Ref No: **ATNS/FACT/RFP048/FY22.23/DIESEL GENERATORS**

Date : Day Month Year  
To : ATNS SOC Limited  
From : Name of Bidder

Subject: Air Traffic and Navigation Service invites tenders for appointment of a service provider to render service and maintenance of diesel generators at Cape Town International Airport and ATNS FACTS sites for a period of five (5) years.

All correspondence may be sent by email to [BusisiweMo@atns.co.za](mailto:BusisiweMo@atns.co.za) or [tenders@atns.co.za](mailto:tenders@atns.co.za).

### **4.2 Failure to Adhere to Instructions**

**FAILURE TO ADHERE TO THE FOLLOWING BID SUBMISSION INSTRUCTIONS SHALL RESULT IN THE BID BEING RENDERED NONRESPONSIVE AND ELIMINATED FROM FURTHER EVALUTION.**

#### **4.2.1 Preparation of Bid**

The Bid shall be delivered as one complete submission, which shall comprise of:

- **Parcel A - Commercial Proposal; Financials and Pricing Structure (Response to Volume 1A, 1B and 1C);**

Parcel A - Commercial Proposal; Financials and Pricing Structure. - labelled and tabbed as per index.

<b>Reference</b>	<b>Requirement</b>	<b>Comply</b>	<b>Do not comply</b>
<b>Volume 1 A</b>	<ul style="list-style-type: none"> <li>• South African companies should submit original or certified copies of valid B-BBEE Status Level Verification Certificates from SANAS/EME Sworn Affidavit</li> <li>• Partnership/JV agreement (Where applicable)</li> <li>• Work share split between the parties. (Where applicable)</li> </ul>		
<b>Volume 1 A</b>	Bidders shall submit a complete and comprehensive response on all aspects of the tender issued in order to provide ATNS with a solution required.		
<b>Volume 1 A</b>	South African companies shall submit their central supplier database summary reports, Tax Compliance Report and PIN, ID copies, Banking Details and company registration docs		
<b>Volume 1 C</b>	Pricing Schedule (on a separate envelope)		
<b>Parcel B</b>	Response to the Technical Requirements		

Parcel B Functional Proposal: Response to the Scope – labelled and tabbed as per Volume 1A, 1B and 1C.

## **5 BID SUBMISSION CONDITIONS AND INSTRUCTIONS**

### **CONDITIONS AND INSTRUCTIONS THAT BIDDERS NEED TO TAKE NOTE OF**

#### **5.1 FRAUD AND CORRUPTION**

**5.1.1** All providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

## **5.2 BRIEFING SESSION**

N/A

## **5.3 CLARIFICATIONS/ QUERIES**

Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing by completing Form of Questionnaire and email to [busisiwemo@atns.co.za](mailto:busisiwemo@atns.co.za) or [tenders@atns.co.za](mailto:tenders@atns.co.za) not later than 12:00 CAT on the 02<sup>nd</sup> of December 2022. A reply will be published on the ATNS website [www.atns.co.za](http://www.atns.co.za) under the Tenders section. The bid reference number should be mentioned in all correspondence. Telephonic requests for clarification will not be accepted. If appropriate, the clarifying information will be made available to all bidders by e-mail only.

## **5.4 SUBMITTING BIDS**

**5.4.1** Bidders are now permitted to submit their documents either online or hard copies. Should a bidder require to submit their documents online, they must send an email to [tenders@atns.co.za/BusisiweMo@atns.co.za](mailto:tenders@atns.co.za/BusisiweMo@atns.co.za) to express their interest to do so. On the email Bidders must specify on the subject line – the tender number and description. In case submitting hard copies, Bids shall be submitted in two separate Parcels. Parcel A shall be Response to Volume 1A, 1B and 1C. Each parcel shall contain; 1 (one) original and Two (2) copies i.e. 3 (Three) Documents and soft copy (PDF format) on a movable storage medium (USB, each sealed and addressed in accordance with the following requirements:

- The name and address of the Bidder;
- The Bid Number;
- The closing date of the Bid indicated on the envelope;
- A Cover Letter, signed by the authorised representative of each member of the Bidding Entity, Consortium or Joint Venture, which shall contain:
  - List of Bid Proposal Documents and an Index of the contents therein;
  - Particular points to which the Bidder wishes to draw the Company's attention in his Commercial Proposal and Technical Proposal.
- The parcels shall not contain documents relating to any Bid other than that shown on the envelope.

**5.4.2** Within each parcel, each document shall be individually packaged in a sealed envelope, assigned an identification number and clearly marked with either the designation "Original" or "Copy", as applicable. When referencing another related



document this identification number shall be indicated. Each document which is a copy shall be marked and numbered as "Copy 1/3".

**5.4.3** All Bi Response documents to be submitted shall be hand delivered to the Company not later than the time and date specified on this document.

**5.4.4** No Bids forwarded by telegram, telex, facsimile, e-mail, or similar medium will be considered.

**5.4.5** Bidders are now permitted to submit their documents either online or hard copies. Should a bidder require to submit their documents online, they must send an email to [tenders@atns.co.za](mailto:tenders@atns.co.za) to express their interest to do so. On the email Bidders must specify on the subject line – the tender number and description.

**5.4.6** Pricing must be submitted in a separate sealed envelope in Parcel A as Volume 1C.

**5.4.7** The original copy **MUST BE SIGNED IN BLACK INK** by an authorised employee, agent or representative of the Bidder and initialized on each and every page of the Bid Response.

**5.4.8** Bid responses sent by post or courier must reach this office at least 36 hours before the closing date as specified, to be deposited into the Bid Box. Failure to comply with this requirement will result in the proposal/Bid response being treated as a "late proposal/response" and will not be entertained. Such proposal will be returned to the respective bidders.

## **5.5 SUBMISSION OF BID:**

**5.5.1** The Bid Documents shall be hand delivered to:

ATNS SOC Limited,  
Eastgate Office Park, Block C,  
South Boulevard Road,  
Bruma,  
2298  
South Africa.

**5.5.2** No later than **08<sup>th</sup> December 2022**, Central African Time at which time the Bid Proposals will be collected.

**5.5.3** Bidders should allow time to access the premises due to security arrangements that need to be observed.

## **5.6 LATE BIDS**

**5.6.1** Bids received late shall not be considered. A bid will be considered late if it arrived even one second after closing time or any time thereafter. The tender (bid) box shall be locked at exactly 12:00 CAT and bids arriving late will not be considered under any circumstances.

- 5.6.2** Bids received late shall be returned unopened to the bidder. Bidders are therefore strongly advised to ensure that bids be delivered allowing enough time for any unforeseen events that may delay the delivery of the bid.

## **5.7 NEGOTIATION AND CONTRACTING**

- 5.7.1** ATNS have the right to enter into negotiation with one or more bidders regarding any terms and conditions, including price(s), of a proposed contract.
- 5.7.2** ATNS shall not be obliged to accept the lowest of any quotation, offer or proposal.
- 5.7.3** A contract will only be deemed to be concluded when reduced to writing in a formal contract and Service Level Agreement signed by the designated responsible person of both parties. The designated responsible person of ATNS is the Chief Executive Officer (CEO) or his written authorised delegate.
- 5.7.4** Under no circumstances will negotiation with any bidders constitute an award or promise / undertaking to award the contract.

## **5.8 REASONS FOR REJECTION**

- 5.8.1** ATNS shall reject a proposal for the award of a contract if the recommended bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.
- 5.8.2** ATNS may disregard the bid of any bidder if that bidder, or any of its directors:
- 5.8.2.1** Have abused the SCM system of ATNS.
- 5.8.2.2** Have committed proven fraud or any other improper conduct in relation to such system.
- 5.8.2.3** Have failed to perform on any previous contract and the proof exists.
- 5.8.3** Such actions shall be communicated to the National Treasury.

## **5.9 CANCELLATION OF PROCUREMENT PROCESS**

- 5.9.1** This procurement process can be postponed or cancelled at any stage provided that such cancellation or postponement takes place prior to entering into contract with a specific service provider to which the bid relates.

## **6 CONTRACT TERMS**

- 6.1** 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 representation made. Bidder should accept that their Bid 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 although variation is not anticipated at this time. If any variation does take place Bidder will be advised as soon as possible.
- 6.2** The successful Bidder will be engaged subject to acceptance of a contract containing the standard Terms and Conditions as given in Volume 1B. The contract contains

standard clauses including a retention clause for non-satisfactory completion, breach of contract and confidentiality clauses and a requirement for the Bidder to have adequate professional indemnity insurance. All Bidders 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.

6.3 All designs and documentation will be the property of ATNS.

## **7 DISCLAIMER**

- 7.1 The Bidder shall bear all costs incurred by him in connection with the preparation and submission of his Bid Response and for finalisation of the contract and the attachments thereof. ATNS will in no case be responsible for payment to the Bidder for these costs.
- 7.2 The Company reserves the right to reject any or all Bids, to undertake discussions with one or more Bidders, and to accept that Bid or modified Bid which in its sole judgment, will be most advantageous to the Company, price and other evaluation factors having been considered.

### **BIDDERS MUST TAKE NOTE OF THE EVALUATION PROCESS THAT WILL BE FOLLOWED**

## **8 EVALUATION PROCESS**

### **8.1 COMPLIANCE WITH MINIMUM REQUIREMENTS CRITERIA**

- 8.1.1 All bids duly lodged as specified in this Request for Bid will be examined to determine compliance with bidding requirements and conditions. Bids with deviations from the requirements / conditions, will be eliminated from further consideration.

### **8.2 FUNCTIONALITY AND PREFERENCE POINTS AND PRICE**

- 8.2.1 All remaining bids as per 17.13 will be evaluated as follows:

8.2.2 **The First stage**, bids will be evaluated first for **Pre-Qualification Criteria (Preferential Procurement Requirements)** prescribed in Preferential Procurement Regulations. Only bids that meet Preferential Procurement requirements will be considered for further evaluation.

8.2.3 **The Second stage**, Bids will be evaluated for **Mandatory Technical Requirements**. During this stage, Tender response documentation will be evaluated against compliance to the Mandatory documents required. Failure to submit Mandatory documents will result in disqualification.

8.2.4 **The Third stage**, bids will be evaluated in terms of the **80/20 preference point system**. Only bids that provide all documentation requested for **Mandatory requirements** will be evaluated in accordance with the **80/20** preference point system.

### **8.3 PREFERENTIAL PROCUREMENT REFORM:**

**THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017 PERTAINING TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, ACT NO 5 OF 2000.**

Black Economic Empowerment is one of the essential objectives of ATNS. In accordance with government policy, ATNS insists that the Bidders demonstrates its commitment and track record to Black Economic Empowerment in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices, (SMME Development) etc.

All responsive Bid offers shall be evaluated in terms of **80/20 Preference Point System in accordance with the Preferential Procurement Framework Act (No.5) of 2000 as amended.**

**8.4 Bid Response Evaluation**

**8.4.1** The evaluation of responsive Bids shall be conducted by a panel appointed by the Company following a three-stage process as follows:

**8.4.2 First Stage: Initial Screening (Pre-Qualification Criteria).**

**8.4.2.1** During this stage Bid response documents will be reviewed to assess adherence to submission instructions

**8.4.2.2 Second Stage: Mandatory evaluations**

During this stage Bid response documentation will be evaluated against compliance to the Technical Specifications. The Technical Mandatory Requirements are listed below, it is important that you submit all the documentation requested below or you will be disqualified and not be evaluated further. Mandatory requirements:

<b>Mandatory Criteria</b>	<b>Minimum requirements</b>	<b>Proof Required</b>
Construction Industry Development Board (CIDB)	Must be registered in terms of Mechanical Engineering (ME) Grade designation Level three (3) at least or above and submit certification	YES
Location	Supplier to be within 100km radius from Cape Town International Airport by proving proof of address	YES
Trade test certificate from Department of Labour	Must submit a trade test certificate (Electrical or Mechanical) of the person who will be assigned to the site	YES
Bidder's relevant Experience: Reference Letter	The reference letter with minimum of 3 years and above experience must bear the letterhead of the organization where the GENERATOR services were provided.	YES

**8.5 PRICING SCHEDULE**

YEAR 1						
Location	Make	Model	KVA Rating	Service 1	Service 2	Total
Cape Town International Airport - ATNS Control Centre Substation 1	Perkins	2300 Series	400			
Cape Town International Airport - ATNS Control Centre Substation 2	Perkins	2300 Series	400			
Cape Town International Airport - ATNS SSS Substation 1	Perkins	YB37527	135			
Cape Town International Airport - ATNS SSS Substation 2	Perkins	YB37527	135			
Cape Town International Airport – ATNS STAR-2 Substation 1	John Deere	6068HF158R	150			
Sutherland	AGG Engine	DSE 7320 MKII AMF	80			
Ceres	John Deere		25			
TOTAL						
Additional labor cost pe hour						

<b>YEAR 2</b>
---------------

Location	Make	Model	KVA Rating	Service 1	Service 2	Total
Cape Town International Airport - ATNS Control Centre Substation 1	Perkins	2300 Series	400			
Cape Town International Airport - ATNS Control Centre Substation 2	Perkins	2300 Series	400			
Cape Town International Airport - ATNS SSS Substation 1	Perkins	YB37527	135			
Cape Town International Airport - ATNS SSS Substation 2	Perkins	YB37527	135			
Cape Town International Airport – ATNS STAR-2 Substation 1	John Deere	6068HF158R	150			
Sutherland	AGG Engine	DSE 7320 MKII AMF	80			
Ceres	John Deere		25			
<b>TOTAL</b>						
Additional labor cost pe hour						

<b>YEAR 3</b>
---------------

Location	Make	Model	KVA Rating	Service 1	Service 2	Total
Cape Town International Airport - ATNS Control Centre Substation 1	Perkins	2300 Series	400			
Cape Town International Airport - ATNS Control Centre Substation 2	Perkins	2300 Series	400			
Cape Town International Airport - ATNS SSS Substation 1	Perkins	YB37527	135			
Cape Town International Airport - ATNS SSS Substation 2	Perkins	YB37527	135			
Cape Town International Airport – ATNS STAR-2 Substation 1	John Deere	6068HF158R	150			
Sutherland	AGG Engine	DSE 7320 MKII AMF	80			
Ceres	John Deere		25			
<b>TOTAL</b>						
Additional labor cost pe hour						

**YEAR 4**

Location	Make	Model	KVA Rating	Service 1	Service 2	Total
Cape Town International Airport - ATNS Control Centre Substation 1	Perkins	2300 Series	400			
Cape Town International Airport - ATNS Control Centre Substation 2	Perkins	2300 Series	400			
Cape Town International Airport - ATNS SSS Substation 1	Perkins	YB37527	135			
Cape Town International Airport - ATNS SSS Substation 2	Perkins	YB37527	135			
Cape Town International Airport – ATNS STAR-2 Substation 1	John Deere	6068HF158R	150			
Sutherland	AGG Engine	DSE 7320 MKII AMF	80			
Ceres	John Deere		25 Kva			
<b>TOTAL</b>						
Additional labor cost pe hour						



<b>YEAR 5</b>
---------------

Location	Make	Model	KVA Rating	Service 1	Service 2	Total
Cape Town International Airport - ATNS Control Centre Substation 1	Perkins	2300 Series	400			
Cape Town International Airport - ATNS Control Centre Substation 2	Perkins	2300 Series	400			
Cape Town International Airport - ATNS SSS Substation 1	Perkins	YB37527	135			
Cape Town International Airport - ATNS SSS Substation 2	Perkins	YB37527	135			
Cape Town International Airport – ATNS STAR-2 Substation 1	John Deere	6068HF158R	150			
Sutherland	AGG Engine	DSE 7320 MKII AMF	80			
Ceres	John Deere		25			
<b>TOTAL</b>						
Additional labor cost pe hour						

**8.5.1 ADHOC COSTING**

Description	Rate per hour	Year 1	Year 2	Year 3	Year 4	Year 5
Callout Fee Normal Hours						
Callout After Hours						
Rate per Km						
Repairs Mark-Up	%	15%	15%	15%	15%	15%

**8.5.2 Overall pricing schedule for period of four years**

ITEM NO	DESCRIPTION	5 YEAR TOTAL
1	SERVICE AND MAINTENANCE YEAR 1	
2	SERVICE AND MAINTENANCE YEAR 2	
3	SERVICE AND MAINTENANCE YEAR 3	
4	SERVICE AND MAINTENANCE YEAR 4	
5	SERVICE AND MAINTENANCE YEAR 5	
<b>TOTAL</b>	<b>RFP Total Cost (VAT inclusive)</b>	<b>R.</b>

**8.5.3 Third Stage - Price/B-BBEE Evaluation**

Bidders who meeting all mandatory requirements in terms of the 80/20 preference point system, where a maximum of 80 points are allocated for price and a maximum of 20 points are allocated in respect of the level of B-BBEE contribution of the Bidder.

**8.5.4 Points are allocated in terms of the B-BBEE Codes of Good Practice guideline as indicated in the table below. Bidders must submit valid B-BBEE Certificates which will be verified.**

B-BBEE status Level of Contributor	Number of Points (80/20 system)
1	20
2	18
3	<b>14</b>
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0

**8.5.5 17.18.3 A bidder shall not be awarded points for B-BBEE status level of contributor if the Bid documents indicate that the Bidder intends subcontracting (JV or Consortium) more than 30% of the value of the contract to any other person not qualifying for at least the points that the Bidder qualifies for, unless the intended subcontractor (JV or Consortium) is an EME that has the capability to execute the subcontract.**

In accordance with the Preferential Procurement Policy Framework Act (PPPFA) and the Code of Good Practice of the Republic of South Africa, this Bid will be adjudicated in terms of functionality and a scoring system for Price and B-BBEE using the 80/20 scoring system. Bidders are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof and or Original B-BBEE affidavit certified by the commissioner of Oath, together with their Bid responses, to substantiate their B-BBEE rating claims. Failure to submit a valid B-BBEE certificate will result in the Bidder not qualifying for preferential points.

**9 FORM OF BID**

CLOSING TIME: ON BID NO.

VALIDITY: **180 DAYS** NAME OF BIDDER: .....

.....

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY BID PRICE MUST <u>INCLUDING VALUE-ADDED TAX</u>
----------	----------	-------------	--

Total Bid Price	R
Alternative Offers (Bidder to advise)	R

Is the offer strictly to specification? YES / NO

If not to specification, state deviations .....

Contract period excluding guarantee period .....

Is the price quoted fixed? YES / NO

Is the delivery and installation period fixed? YES / NO

Are the supplies/services guaranteed as required in the Bid specification? YES / NO

If a guarantee is not specifically required in the Bid specification, are the Supplies/ services guaranteed? YES / NO

Are you the accredited agent for the manufacturers of the equipment offered? YES / NO

Where in the Republic of South Africa can a machine/equipment of the type offered by you be inspected under working conditions? .....

What are the names and addresses of the factories where the supplies will be manufactured? .....

What is the approximate value of spares carried in stock in the Republic of South Africa for the equipment offered? R.....

Furnish full particulars (separately if necessary) of the arrangements which can be made by you for the efficient servicing/maintenance of the supplies/services locally .....

In respect of supplies to be specially imported, indicate -

- (i) Whether a special import permit is required? YES / NO
- (ii) The name and address of the person or company to whom payment is to be made abroad .....
- (iii) The amount in foreign currency to be paid by you abroad .....
- (See **Volume 1B**, paragraph 2.16.15.1)
- (iv) What ruling rate of exchange (at date of Bid) was applied in the conversion of this amount to South African currency (See Volume 1B, paragraph 2.16.15.1 and what was the date when this rate applied) .....

PART A

INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>				
BID NUMBER:		CLOSING DATE:		CLOSING TIME:
DESCRIPTION				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>				
ATNS SOC Limited, Eastgate Office Park, Block C, South Boulevard Road, Bruma,2298				
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>	
CONTACT PERSON			CONTACT PERSON	
TELEPHONE NUMBER			TELEPHONE NUMBER	
FACSIMILE NUMBER			FACSIMILE NUMBER	
E-MAIL ADDRESS			E-MAIL ADDRESS	
<b>SUPPLIER INFORMATION</b>				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>				

<p><b>1.1.1.1. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b></p>	<p><input type="checkbox"/>Yes    <input type="checkbox"/>No</p> <p>[IF YES ENCLOSE PROOF]</p>	<p><b>1.1.1.2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</b></p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[IF YES, ANSWER THE QUESTIONNAIRE BELOW ]</p>
--	--	---	--

**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

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

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

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

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

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

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

PART B

TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b></p> <p>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.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>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.</p> <p>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.”</p>

**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: .....





**CHECKLIST OF BIDDING DOCUMENTATION BEFORE SUBMITTING**

**NB!! PLEASE TAKE NOTE THAT ALL STANDARD BIDDING (SBD) FORMS MUST BE COMPLETED, SIGNED AND SUBMITTED WITH YOUR PROPOSAL. FAILURE TO DO SO MAY INVALIDATE YOUR BID**

<b>NB: Has the following forms been completed, signed and submitted with your proposal?</b>		
<b>Documentation</b>	<b>Checked by Bidder</b>	<b>Checked by Procurement Specialist</b>
Declaration of interest – SBD 4		
Preference point claim – SBD 6.1		
Contract Form (rendering of services) – SBD 7.1		
ID Documents of Directors/Shareholders		
Central Supplier Database Summary Report		
Company Profile		
Submitted One (1) original, three (3) hard copies and one (1) electronic copy (on USB) in PDF format.		
Form D - Shareholding Disclosure Form: Bidders.		
POPIA		



**DISCLOSURE OF GROUP/COMPANY STRUCTURE**

1. In view of possible allegations of favouritism, it is required by ATNS that the bidder or his/her authorised representative declare the group structures if any and submit information of group directors / members / shareholders / trustees or subsidiary companies and positions held in the group /companies.
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, shareholder<sup>2</sup>):  
 .....

2.4 Company Registration Number: .....

2.5 Tax Reference Number: .....

2.6 VAT Registration Number: .....

3. **The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, must be indicated in paragraph 3.1 below.**

**3.1 Full details of Group / directors / trustees / members / shareholders.**

Name of Group / Company / Trust	Full Name and Surname	Identity Number	Personal Tax Reference Number




**3 DECLARATION**

I, THE UNDERSIGNED (NAME).....

Declare that the information furnished in paragraphs two (2) and three (3) above is correct. I accept that ATNS 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

June 2022



## TAX COMPLIANCE REPORT AND PIN.

**It is a condition of the bid that the taxes of the successful bidder must be in order or those satisfactory arrangements have been made with the Receiver of Revenue to meet his /her tax obligations.**

1. In order to meet this requirement bidders are required to **Tax Compliance Report and Pin** obtainable from any SARS branch office nationally. The Tax Compliance Report and Pin. Requirements are also applicable to foreign bidders/individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Compliance Report and Tax Pin that will be valid for a period of 1 (one) year from date of approval.
3. The original Tax Compliance Report and Pin must be submitted together with the bid. Failure to submit the **original and** valid Tax Compliance Report and Pin will result in the invalidation of the bid. Certified copies of the Tax Compliance Report and Pin will not be acceptable.
4. In bids where Consortia/Joint Ventures/Sub-contractors are involved each party must submit a separate Tax Compliance Report and Pin.
5. Copies of the TCC001“Application for Tax Compliance Report and Pin” forms are available at any SARS branch office nationally or on the website [www.sars.gov.za](http://www.sars.gov.za).
6. Applications for the Tax Compliance Report and Pin may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website [www.sars.gov.za](http://www.sars.gov.za)

### SBD 4



## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

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

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

### 2. Bidder's declaration

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

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

Full Name	Identity Number	Name of institution	State

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:

.....

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



.....

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

**YES/NO**

2.3.1 If so, furnish particulars:

.....

.....

### 3 DECLARATION

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

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

<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.



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



**SBD 6.1**

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL  
PROCUREMENT REGULATIONS 2017**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

**1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to all bids:

- 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

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
<b>PRICE</b>	
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.





- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

## 2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“price”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 4. POINTS AWARDED FOR PRICE

#### 4.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 points is allocated for price on the following basis:  
**80/20**

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



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

#### 4.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT

#### 4.3 POINTS AWARDED FOR PRICE

A maximum of 80 points is allocated for price on the following basis:  
**80/20**

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

Where

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

### 5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

5.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0



**6. BID DECLARATION**

6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**7. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

7.1 B-BBEE Status Level of Contributor:= (maximum of 20)  
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**8. SUB-CONTRACTING**

8.1 Will any portion of the contract be sub-contracted?

**(Tick applicable box)**

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

8.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

**(Tick applicable box)**

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

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at last Level 1 to 4 owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		



Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**9. DECLARATION WITH REGARD TO COMPANY/FIRM**

9.1 Name \_\_\_\_\_ of  
company/firm:.....

9.2 VAT \_\_\_\_\_ registration  
number:.....

9.3 Company \_\_\_\_\_ registration  
number:.....

**9.4 TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

**9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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

**9.6 COMPANY CLASSIFICATION**

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]



9.7 Total number of years the company/firm has been in business:.....

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.



WITNESSES

1. ....
2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....



## 1. CONTRACT FORM - PURCHASE OF GOODS/WORKS

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

### 2. PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Technical Specification(s);
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.



5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

WITNESSES	
1	.....
2.	.....





**CONTRACT FORM - PURCHASE OF GOODS/WORKS**

**3. PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity as..... accept your bid under reference number .....dated.....for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT .....ON.....

NAME (PRINT) .....

SIGNATURE .....



OFFICIAL STAMP

WITNESSES

1. ....  
....
2. ....



## CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

---

—  
(Bid Number and Description)

In response to the invitation for the bid made by:

---

(Name of Institution)

Do hereby make the following statements that I certify to be true and complete in every respect: I certify, on behalf of:

---

that:  
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;



4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - 5.1 Has been requested to submit a bid in response to this bid invitation;
  - 5.2 Could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - 5.3 Provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.



7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - 7.1 prices;
  - 7.2 geographical area where product or service will be rendered (market allocation)
  - 7.3 Methods, factors or formulas used to calculate prices;
  - 7.4 The intention or decision to submit or not to submit, a bid;
  - 7.5 The submission of a bid which does not meet the specifications and conditions of the bid; or
  - 7.6 Bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....

.....

Signature

Date



.....

Position Name of the Bidder

Should it be necessary for a bidder to obtain clarity on any matter arising from or referred to in this RFP document, please refer your enquiries, in writing, to the contact person(s) listed below. ATNS reserves the right to place responses to such queries on the website.

<b>PROCUREMENT SPECIALIST:</b>	Busisiwe Molapisi
<b>TELEPHONE:</b>	(011) 607 1325
<b>E-MAIL:</b>	<a href="mailto:busisiwe@atns.co.za">busisiwe@atns.co.za</a>