



**AIR TRAFFIC AND NAVIGATION SERVICES SOC. LTD
REPUBLIC OF SOUTH AFRICA**



**APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE ATNS TOTAL
REWARD AND REMUNERATION STRUCTURE TO ENABLE IMPLEMENTATION
OF THE 2020/2025 STRATEGY FOR A PERIOD OF TWO (02) YEARS**

REQUEST FOR PROPOSAL: ATNS/HC/RFP052/FY22.23/TOTAL_REWARDS

NOVEMBER 2022

VOLUME 1A

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.



APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE ATNS TOTAL REWARD AND REMUNERATION STRUCTURE TO ENABLE IMPLEMENTATION OF THE 2020/2025 STRATEGY FOR A PERIOD OF TWO (02) YEARS.

RFP REFERENCE NUMBER:	ATNS/HC/RFP052/FY22.23/TOTAL_REWARDS
CLOSING DATE OF TENDER / SUBMISSION OF BID:	14 December 2022
Non-Compulsory Briefing Session	<p>VIRTUAL TENDER BRIEFING SESSION WILL BE HELD VIA TEAMS PLATFORM:</p> <p>DATE: 30 November 2022 VENUE: Teams Meeting TIME: 10h00-11h00 Bidders who are interested to attend must send an email to Olwethuf@atns.co.za and copy tenders@atns.co.za to receive invite.</p> <p>Last date for requesting for the link is on the 29 November 2022 @ 14:00</p>
CLOSING TIME:	13h30, CAT (no late nor facsimile responses will be accepted)
BID VALIDITY PERIOD:	<ul style="list-style-type: none"> • 180 days (Commencing from tender closing date)
RETURNABLE DOCUMENTS	<ul style="list-style-type: none"> • Valid SARS pin • Valid B-BBEE certificate (SANAS approved) or Sworn Affidavit. • Latest CSD report • Fully completed and signed SBD forms.



DESCRIPTION:	APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE ATNS TOTAL REWARD AND REMUNERATION STRUCTURE TO ENABLE IMPLEMENTATION OF THE 2020/2025 STRATEGY FOR A PERIOD OF TWO (02) YEARS.
DEPOSITED IN THE BID BOX SITUATED AT:	<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 Olwethuf@atns.co.za and copy tenders@atns.co.za to express their interest to do so.</p> <p>On the email Bidders must specify on the subject line – the tender number and description.</p> <p>A link will be shared with the Bidder upon receipt of their intention to submit a bid online.</p> <p>Deadline for requesting the link is 2 days before closing date, email sent after this deadline will not be attended to.</p>
PROCUREMENT SPECIALIST:	Olwethu Fakude
E-MAIL:	olwethuf@atns.co.za



<p>THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO SHALL RESULT IN YOUR BID BEING DISQUALIFIED)</p>	

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	

HAS AN ORIGINAL VALID TAX COMPLIANCE REPORT AND PIN BEEN SUBMITTED FOR CONSORTIUM, JOINT VENTURE AND/OR SUB CONTRACTORS

YES	NO



PLEASE INDICATE THE TYPE OF YOUR COMPANY E.G. PRIVATE COMPANY OR CLOSED CORPORATION OR OTHER

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 Proposal (RFP).

This RFP is for the confidential use of only those persons/companies who are participants of this RFP. Each recipient acknowledges that the contents of this RFP 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, authorized 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



APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE ATNS TOTAL REWARD AND REMUNERATION STRUCTURE TO ENABLE IMPLEMENTATION OF THE 2020/2025 STRATEGY FOR A PERIOD OF TWO (2) YEARS.

1.2 Purpose of the Bid

ATNS subscribes to a Total Rewards approach and have a defined reward philosophy which is aligned to ATNS align strategy; support its business objectives in order to attract, motivate and retain the right skills and talent for the company to meet its' desired business outcomes.

ATNS requires a service provider for two years to review the ATNS total reward or remuneration structure to enable implementation of the 2020/2025 strategy, that will motivate superior performance; remunerate employees in a way that reflects the dynamics of the markets and the context in which ATNS operates in a fair and equitable manner

The Service Provider will be required to deliver on the following objectives, within agreed timelines:

Objective of the services: (Priority listings are subject to change due to some outcomes which can be done concurrently.)

1.3 Outcome 1: (Priority 1)

1.3.1 The service provider to identify companies of a similar size and industry and use its own discretion in terms of the benchmarks annual online salary benchmark for all ATNS job families.

1.3.2 Annual salary surveys & local and global benchmarks for all ATNS job families

1.3.3 Benchmarking including Purchasing Power Parity against international Air Traffic Services ANSP's. ATNS would provide the service provider with the CANSO Survey Report to be used for benchmarking the Air Traffic Service jobs.



1.3.4 The current Job Families include:

1. Administration – Bargaining Unit
2. Administration – Non-Bargaining Unit – Generic
3. Administration – Non-Bargaining Unit – Critical
4. ETS– Technical
5. ETS – Management – Generic
6. ETS – Management – Critical
7. ATS – Management Scale 1
8. ATS – Management Scale 2
9. ATS Matrix
10. Executives
11. Graduates & Learnerships

1.4 Outcome 2: (Priority 2)

- 1.4.1 Provide a once-off salary negotiation consulting services in terms of the following:
- i. Salary Modelling including fixed and variable pay. The variable pay modelling will deal applying the increase policy and possible increase scenarios.
 - ii. Benchmarking including Purchasing Power Parity against international Air Traffic Services ANSP's
 - iii. Recommendations and implementation plan
 - iv. Change Management
 - v. Skills transfer plan
- 1.4.2 Calculate the cost implications of the above recommendations on the ATNS salary bill for each option.
- 1.4.3 Make Recommendations and develop an implementation plan in line with best practice and change management principles.
- 1.4.4 Provide a comprehensive report on findings, recommendations with the implementation plan.

1.5 Outcome 3: (Priority 3)

- 1.5.1 Align to new Org design



1.5.2 Review new job design with the link and impact to remuneration philosophy.

1.6 Outcome 4: (Priority 4)

1.6.1 Review; recommend and develop a model for unit allowances. These allowances are linked to the complexity of Air Traffic Services and the number of air traffic movement within the 23 air traffic service units:

- i. ATA Aviation Training Academy
- ii. CAMU Central Airspace Management Unit
- iii. FABL Bloemfontein
- iv. FABE Bhisho
- v. FACT Cape Town
- vi. FAEL King Phalo
- vii. FAGG George
- viii. FAGM Rand Airport
- ix. FAOR OR Tambo International
- x. FAKM Kimberley
- xi. FAKN Kruger
- xii. FALA Lanseria
- xiii. FALE King Shaka
- xiv. FAMM Mafikeng
- xv. FAPE Chief Dawid Stuurman
- xvi. FAPM Pietermaritzburg
- xvii. FAPN Pilanesberg
- xviii. FAPP Polokwane
- xix. FARB Richards Bay
- xx. FAUP Upington
- xxi. FAUT Mthatha
- xxii. FAVG Virginia
- xxiii. FAWB Wonderboom



- 1.6.2 Calculate the cost implications of the above recommendations on the ATNS salary bill for the revised unit allowances.
- 1.6.3 Make recommendations and develop an implementation plan in line with best practice and change management principles.
- 1.6.4 Provide a comprehensive report on findings, recommendations with the implementation plan.

1.7 Outcome 5: (Priority 5)

- 1.7.1 Develop a model with defined principles for the identification of Critical, Core and Scarce skills.
- 1.7.2 Based on the model, categorise Critical, Core and Scarce skills for each department.
- 1.7.3 Calculate the cost implications of the above recommendations on the ATNS salary bill for each job family including comparison ratios in relation to the revised salary bands.
- 1.7.4 Make Recommendations and develop an implementation plan in line with best practice and change management principles.

1.8 Outcome 6: (Priority 6)

- 1.8.1 Develop a Retention Policy including the following:
 - i. Retention framework for Critical, Core and Scarce skills
 - ii. Organisation wide retention framework
 - iii. Review the current Retention framework built in to the ATS salary matrix and make recommendations.



1.8.2 Calculate the cost implications of the above recommendations on the ATNS salary bill for each option.

1.8.3 Make Recommendations and develop an implementation plan in line with best practice and change management principles.

1.8.4 Provide a comprehensive report on findings, recommendations with the implementation plan

1.9 Outcome 7: (Priority (7))

1.9.1 Design Long Term Incentive Scheme (benchmark against both Public and Private Sector)

1.9.2 Develop a Long-Term incentive Policy

1.9.3 Calculate the cost implications of the above recommendations on the ATNS salary bill for each option.

1.9.4 Make Recommendations and develop an implementation plan in line with best practice and change management principles.

1.9.5 Provide a comprehensive report on findings, recommendations with the implementation plan.

1.10 Outcome 8: (Priority (8))

1.10.1 Review and make recommendations on current ATNS policies and frameworks:

- i. Short Term Incentive Scheme Policy
- ii. Performance Management Policy
- iii. Reward & Recognition Scheme Policy (benchmark with other SOE)
- iv. Transfer & Relocation Policy (benchmark against both Public and Private Sector)



- v. Leave Policy
- vi. Acting Policy

1.10.2 Calculate the cost implications of the above recommendations on the ATNS salary bill for each of the policy reviews above.

1.10.3 Provide a comprehensive report on findings, recommendations with the implementation plan.

1.11 Outcome 9: (Priority 9)

1.11.1 Develop a change management and implementation plan including a readiness assessment in line with all project deliverables.

1.12 Outcome 10: (Priority 10)

1.12.1 Review and make recommendations on the Remuneration Policy in line with the following:

1. Total review of the Remuneration Policy and principles:
 - i. Pay for performance
 - ii. Guaranteed Pay
 - iii. Notching System with the associated allowances
 - iv. Matrix system
 - v. Other allowances (e.g. On the Job Instructors allowance; shift and callout allowances)
2. Review and make recommendations on the Remuneration Policy in:
 - i. Alignment to the equal pay for equal work of equal value
 - ii. Identify gaps of possible non-compliance to point (i)
 - iii. Review pay gaps and make recommendations to address gaps in line with the legislation
 - iv. In reviewing the gaps, calculate the cost implications of the above recommendations on the ATNS salary bill.



v. Cost to Company (the inclusion of benefits into CTC and its impact on EVP)

1.12.2 Review current job families and make recommendations for job families to align to the new org design.

1.12.3 Develop Salary scales and remuneration principles for each job family. The current Job Families include:

12. Administration – Bargaining Unit
13. Administration – Non-Bargaining Unit – Generic
14. Administration – Non-Bargaining Unit – Critical
15. ETS– Technical
16. ETS – Management – Generic
17. ETS – Management – Critical
18. ATS – Management Scale 1
19. ATS – Management Scale 2
20. ATS Matrix

1.12.4 In reviewing the gaps, calculate the cost implications of the above recommendations on the ATNS salary bill for each job family including comparison ratios in relation to the revised salary bands.

1.12.5 Make Recommendations and develop an implementation plan in line with best practice and change management principles.

1.12.6 Provide a comprehensive report on findings, recommendations with the implementation plan.

1.13 Expectations:



- i. Pre-reading of ATNS strategy and related policies and procedures. Review of Company strategy, HR strategy and Union Collective Agreements and align to reward philosophy.
- ii. Knowledge and current functionality of all required systems.
- iii. In-depth presentation of systems and remuneration benchmarking
- iv. Share the calculations and best practices
- v. Scenarios and activities tailored to the ATNS environment.
- vi. Present all findings to different forums as required, namely MANCOM; EXCO; Board committees; Unions and Departments
- vii. Reporting
- viii. Adopt the ATNS Project Management Framework to manage the Project with defined timeframes

1.14 Post Contract Requirements:

User access to conduct the following:

- i. Salary Benchmarking
- ii. Expatriate Management
- iii. Salary Modelling and calculations presentation and hand-over on completion of the project
- iv. ATNS Remuneration and Benefit department to be active participants on the modelling and benchmarking

1.15 Duration of Appointment

The service provider will be appointed for a period of 24 months and the project will be managed from the ATNS Head Office in Bruma.

1.16 Acquisition strategy

The proposed acquisition strategy is to award to one supplier meeting the ATNS Preferential Procurement requirements for the entire scope of sourcing, implementation and support of the project. Suppliers that do not meet the



Preferential Procurement requirements must partner with a local supplier that meets the requirements in the form of a joint venture.

2 GENERAL BID INSTRUCTIONS AND ADMINISTRATIVE REQUIREMENTS

2.1 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:

2.1.1 All correspondence to ATNS shall be in writing and addressed to:

Procurement Specialist: Olwethu Fakude – olwethuf@atns.co.za and copy tenders@atns.co.za.

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

2.1.2 All correspondence shall be made as follows:

Ref No: **ATNS/HC/RFP052/FY22.23/TOTAL_REWARDS**

Date : Day Month Year:

To : ATNS Company Ltd:



From : Name of Bidder:

Subject: **ATNS/HC/RFP052/FY22.23/TOTAL_REWARDS**

All correspondence may be sent by email to olwethuf@atns.co.za and copy tenders@atns.co.za

2.1.3 Preparation of Bid

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

- **Parcel A - Commercial Proposal; Financials and Price Structure (Response to Volume 1A, and 1C); and**
- **Parcel B - Technical Proposal (Response to Technical Mandatory Specifications)**

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

Reference	Requirement	Comply	Do not comply
Volume 1 A	<ul style="list-style-type: none"> • South African companies should submit original or certified copies of valid B-BBEE Status Level Verification Certificates from SANAS/EME Sworn Affidavit • Partnership/JV agreement (Where applicable) 		



	<ul style="list-style-type: none"> • Work share split between the parties. (Where applicable) 		
Volume 1 A	Bidders shall submit a complete and comprehensive response on all aspects of the tender issued in order to provide ATNS with a solution required.		
Volume 1 A	South African companies shall submit their central supplier database summary reports, Valid Tax PIN, ID copies, Banking Details and company registration docs		
Volume 1 C	Pricing Schedule (on a separate envelope)		
Parcel B	Response to the Technical Mandatory Requirements		



2.2 Fraud And Corruption

2.2.1 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.

2.3 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 Olwethuf@atns.co.za at: olwethuf@atns.co.za and tenders@atns.co.za not later than 12:00 CAT on the 08th of December 2022. A reply will be published on the ATNS website 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.



2.4 Submitting Bids

- 2.4.1** 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 and copy_olwethuf@atns.co.za to express their interest to do so. A link will be shared with the supplier for uploading the documents on a secure online portal. 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, and 1C. Each parcel shall contain; 1 (one) original hardcopy, one (1) copy hardcopy, and soft copy (PDF format) on a movable storage medium (USB disk), each sealed and addressed in accordance with the following requirements, The name and address of the Bidder; and the Bid Number.
- 2.4.2** The closing date of the Bid indicated on the envelope.
- 2.4.3** A Cover Letter, signed by the authorized representative of each member of the Bidding Entity, Consortium or Joint Venture, which shall contain:
- 2.4.4** List of Bid Proposal Documents and an Index of the contents therein;
- 2.4.5** Particular points to which the Bidder wishes to draw the Company's attention in his Commercial Proposal and Technical Proposal.
- 2.4.6** The parcels shall not contain documents relating to any Bid other than that shown on the envelope.
- 2.4.7** 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 1/2".
- 2.4.8** All Bid Response documents to be submitted shall be hand delivered to the Company not later than the time and date specified on this document.



2.4.9 No Bids forwarded by telegram, telex, facsimile will be considered. Pricing must be submitted in a separate sealed envelope in Parcel A as Volume 1C.

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

2.5 Submission Of Bid:

2.5.1 The Bid Documents shall be hand delivered to:

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



- 2.5.2** No later than 13h30 CAT on the 14th of December 2022, Central African Time at which time the Bid Proposals will be collected.
- 2.5.3** Bidders should allow time to access the premises due to security arrangements that need to be observed.
- 2.5.4** Should a bidder require to submit their documents online, they must send an email to olwethuf@atns.co.za and 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. A link will be shared with the supplier for uploading the documents on a secure online portal. The deadline for requesting the link is two days prior to closing date and time, should you fail to request the link on time. This will not be attended to.

2.6 Late Bids

- 2.6.1** 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 13:30 CAT and bids arriving late will not be attended to under any circumstances.
- 2.6.2** 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.
- 2.6.3** Bids uploaded after closing date and time online will not be considered.



2.7 Negotiation and Contracting

- 2.7.1** 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.
- 2.7.2** ATNS shall not be obliged to accept the lowest of any quotation, offer or proposal.
- 2.7.3** Under no circumstances will negotiation with any bidders constitute an award or promise / undertaking to award the contract.

2.8 Reasons For Rejection

- 2.8.1** 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.
- 2.8.2** ATNS may disregard the bid of any bidder if that bidder, or any of its directors:
- 2.8.3** Have abused the SCM system of ATNS.
- 2.8.4** Have committed proven fraud or any other improper conduct in relation to such system.
- 2.8.5** Have failed to perform on any previous contract and the proof exists.
- 2.8.6** Such actions shall be communicated to the National Treasury.



2.9 Cancellation of Procurement Process

2.9.1 This procurement process can be postponed or cancelled at any stage

2.10 Contract Terms

2.10.1 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.

2.10.2 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.

2.10.3 All documentations will be the property of ATNS.

2.11 Disclaimer

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



2.11.2 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

3 EVALUATION PROCESS

3.1 Compliance With Minimum Requirements Criteria

3.1.1 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.

3.2 Technical mandatory requirements, Price and points system

3.2.1 All bids will be evaluated as follows:

3.2.2 The First stage, bids will be evaluated in line with the B-BBEE Codes of Good Practice.

3.2.3 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.

3.2.4 The Third stage, bids will be evaluated in terms of the **80/20 Scoring system**. Only bids that provide all documentation requested for **Technical Mandatory Requirements** will be evaluated during this stage



3.3 Bid Response Evaluation

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

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

PREFERENTIAL PROCUREMENT REFORM:

THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011 PERTAINING TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, ACT NO 5 OF 2017.

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.

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 or 90/10 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.

In addition, the Preferential Procurement (PP) requirements as per the ATNS Procurement Policy which states that ATNS shall deal with suppliers in accordance with the B-BBEE Codes of Good Practice will be taken into consideration. *In*



particular, ATNS shall give preference to local suppliers with B-BBEE contribution level 1 to level 4.

Suppliers not meeting the requirements of the Preferential Procurement requirements (PP) are required to clearly identify any possible teaming arrangement which could be established with South African BB-BEE compliant enterprises, and which could result in significant Transfer of Technology and Skills development. Any workable plan to train and promote black businesses or individuals through meaningful participation in this project will be considered favourably by the Company during the Bid evaluation process.

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

All responsive Bid offers shall be evaluated in terms of functionality and scoring system for Price and B-BBEE. **The 80/20 Preference Point System shall be applicable in accordance with the Preferential Procurement Framework Act (No.5) of 2000.**

During this stage Bid response documents will be reviewed to assess adherence to submission instructions, and compliance to TAX Requirements. The table below summarises the required adherence to the submission instructions and shall also be used by the Bidder as a checklist for the completeness of the submission:

ATNS/HC/RFP052/FY22.23/TOTAL_REWARDS	Page 32 of 62	November 2022
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Reference	Requirement	Comply	Do not comply
Volume 1 A (Parcel A)	GCC		
Volume 1 A (Parcel A)	South African companies should submit original or certified copies of valid B-BBEE Status Level Verification Certificates or affidavit certified by commissioner of Oath.		
Volume 1 A (Parcel A)	Is the Bid divided into commercial (Vol 1) and technical (if applicable) submissions?		
Volume 1 A (Parcel A)	Signed JV/Consortium agreement with clear illustration of portion of work and contract value % that the local supplier will be responsible for.		
Volume 1A (Parcel B)	Compliance with items (Technical Requirements) as summarized		

3.3.3 Second Stage: Technical Mandatory Requirements

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. FAILURE TO SUBMIT ANY OF THE BELOW MANDATORY DOCUMENTS WILL RESULT IN A DISQUALIFICATION AND BIDDER WILL NOT BE EVALUATED FURTHER.



Mandatory Criteria	Proof Required
<p>Provide a minimum of five (5) reference letters as proof of previous remuneration experience with a minimum of 5 years in working with similar size(1000+employees) State-owned-enterprises or private owned entities. Contactable references. References must be in a form of signed and dated reference letters on a client's business letterhead stating the scope and description of the services rendered, contract start and duration, with a contact name, contact number and position of the referee. Reference letters must not be older than 5 years by the closing date of this RFP.</p>	<p>Yes</p>
<p>Provide a minimum of two (2) reference letters as proof of previous development of Long-term Incentive with a minimum of 5 years in working with similar size(1000+employees) State-owned-enterprises or private owned entities.</p>	<p>Yes</p>
<p>Provide a minimum of two (2) reference letters as proof of previous development of Short-term Incentive with a minimum of 5 years in working with similar size(1000+employees) State-owned-enterprises or private owned entities.</p>	<p>Yes</p>
<p>The service provider must provide ATNS with the minimum resources to be deployed to the project, including the CV's, copies of the qualifications and two contactable references.</p> <ul style="list-style-type: none"> • X1 Senior Remuneration Consultant with a minimum of five years remuneration experience and a relevant HR related qualification on an NQF Level 7 and must be a member of the South African Reward Association. • X1 Remuneration Consultant with a minimum of three years remuneration experience and a relevant related qualification on an NQF Level 7. • X1 Project Manager with a minimum of five years Project Management experience and relevant qualification on an NQF Level 7. • X1 Change Manager with a minimum of five years Project Management experience and relevant qualification on an NQF Level 7. 	<p>Yes</p>



<p>The service provider must provide ATNS with a detailed project management plan including an outline of the roles and responsibilities that the various ATNS stakeholders (Executives, line management, HR, employee and labour) should fulfil in the project in line with the identified timelines of the various timelines. The service provider must outline key activities and roles in line with a Project Management Approach.</p>	<p>Yes</p>
<p>The service provider must provide a detailed approach sample of tools and outcome reports for the following key outcomes:</p> <ul style="list-style-type: none"> • Perform an “As-Is” Analysis on the existing total reward framework • Identify and analyses various reward strategies to determine what would work best for ATNS and design the “To-Be” remuneration framework • Develop implementation plans. 	<p>Yes</p>
<p>The service provider must provide samples of reports including the following:</p> <ul style="list-style-type: none"> • Impact Analysis on people, process, and systems • Risk Impact Assessment • Change Management Plan 	<p>Yes</p>

3.3.4 Third Stage - Price/B-BBEE Evaluation

3.3.4.1 Bidders who provide all the required documentation listed on Technical Mandatory will be evaluated in terms of the 80/20 points 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.

3.3.4.2 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	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0



PRICING SCHEDULE TO USED (SUPPLIERS TO USE THEIR LETTER HEAD USING THE BELOW SAMPLE TEMPLATE)

NB: HOURLY FEE RATES FOR CONSULTANTS SHOULD BE CHARGED AS PER DPSA RATES- WITH EFFECT FROM 1 JULY 2020 WHICH CAN FOUND ON http://www.dpsa.gov.za/dpsa2g/consultant_fees.asp

Outcome Descriptions	Objectives	Rates and Number of Consultants
<p><u>Outcome 1:</u></p> <p>The service provider to identify companies of a similar size and industry and use its own discretion in terms of the benchmarks annual online salary benchmark for all ATNS job families.</p> <p><u>Outcome 2:</u></p> <p>Provide a once-off salary negotiation consulting services in terms of the following:</p> <ul style="list-style-type: none"> i. Salary Modelling including fixed and variable pay. The variable pay modelling will deal applying the increase policy and possible increase scenarios. ii. Benchmarking including Purchasing Power Parity 	<p>Annual salary surveys & local and global benchmarks for all ATNS job families</p> <p>Benchmarking including Purchasing Power Parity against international Air Traffic Services ANSP's. ATNS would provide the service provider with the CANSO Survey Report to be used for benchmarking the Air Traffic Service jobs.</p>	<p>Number Hours: _____</p> <p>Consultant / s Hourly Rate (as per (DPSA rates): _____</p> <p>Total Number of Consultants: _____</p> <p>Number Hours: _____</p> <p>Consultant / s Hourly Rate (as per (DPSA rates): _____</p> <p>Total Number of Consultants: _____</p>



<p>against international Air Traffic Services ANSP's</p> <p>iii. Recommendations and implementation plan</p> <p>iv. Change Management</p> <p>v. Skills transfer plan</p> <p>Etc.</p> <p>For each of the 10 outcomes</p>		
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Forms of BID

Price as reflected on form must include all customs and/or other duties, delivery and installation costs. Bids on a basis of c.i.f. or in bond, or qualified to the effect that bills of entry are to be furnished may be disqualified.

Rate of Exchange Variation

Installation Contract:

ATNS shall not be liable for the Rate of Exchange Variation under the Contract for Acquisition Phase. The Contract Price shall be a fixed in Rands for the Acquisition Phase. Should there be any variation/change to the Contract Price due to a change in the rate of exchange, such price variation/change shall be for the account/cost of the Contractor/Service Provider.

Option and CVO:

Any options: ATNS shall not be liable for the Rate of Exchange Variation under the Contract for Acquisition Phase. The Contract Price shall be a fixed in Rands for the Acquisition Phase. Should there be any variation/change to the Contract Price due to a change in the rate of exchange, such price variation/change shall be for the account/cost of the Contractor/Service Provider.

or Contract Variation:

Contract shall be varied only by variations approved by the Engineer. Either the Contractor or the Company may submit variations to the Contract. Any additional work or expenses incurred by the Contractor in performing activities outside the scope of the Contract and not approved through a Contract Variation shall be at the Contractors cost and no liability shall rest with the Company.

Contract Variations shall be submitted to the Engineer for consideration. The Engineer shall, provided the submission is properly documented; approve or reject the Variation within 30 days of receipt at his office and notify the Contractor accordingly.

On approval of a Contract Variation the Engineer shall issue a Contract Change Notice amending the Contract as appropriate.

At the commencement of each of support, the Contractor shall Hedge the foreign content for that year, and any variation between spot rate on submission of the invoice and the Hedged Rate shall be for the account or credit of ATNS.

The Contractor shall provide the total estimated foreign component cost of the support maintenance cost over the duration of the contract.



The Contractor shall provide the foreign component cost in the 1st year and provide the percentages on how the support maintenance cost escalates every year over the duration of the maintenance contract period.

The Bidder shall provide the estimated local escalation costs and percentage for each year for the duration of the project as indicated on the table below.

The Contractor shall provide the total cost for the maintenance in **foreign currency**. Please see the annexure B below for the template.

Support maintenance contract	Foreign Currency Amount	Percentage Escalations
Year 1	300,000.00	
Year2	330,000.00	10%
Year 3	379,500.00	15%

The Contractor shall provide the total cost for the maintenance in **local currency**. Please see the template below: Annexure C

Support maintenance contract	Local Currency Amount	Percentage Escalations
Year 1	300,000.00	
Year2	330,000.00	10%
Year 3	379,500.00	15%

Rules that apply when exchange cover on a fixed term basis is a condition of the contract:

The Contractor shall, within 14 fourteen days of receipt of the contract (or if an export permit is required within 14 [fourteen] days after receipt of such permit) or such extended period as agreed upon at the time, arrange exchange cover for the total exchange amount which cover may not exceed the contractual term and shall be transferred abroad on a fixed term basis. Once the currency futures have been issued, the Company's finance division must be provided with a copy of such currency futures.

Should the currency futures not be taken out within the prescribed period, then, subject to the provisions of paragraph one of the following two rates, whichever is to the best advantage of the company, shall be used for calculation purposes:

- the spot rate applicable on the last day of the prescribed period;
- the actual rate applicable to the currency futures.



PART A

INVITATION TO BID

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/
PUBLIC ENTITY)**

BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
-------------	--	---------------	--	---------------	--

DESCRIPTION

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO	TECHNICAL ENQUIRIES MAY BE DIRECTED TO:
---	--

CONTACT PERSON		CONTACT PERSON	
TELEPHONE NUMBER		TELEPHONE NUMBER	
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS		E-MAIL ADDRESS	

SUPPLIER INFORMATION

NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				

SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
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B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX]
--	--	-------------------------------------	-----------------------



			<input type="checkbox"/> Yes <input type="checkbox"/> No
--	--	--	---

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

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

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:
<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. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</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. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</p>
2. TAX COMPLIANCE REQUIREMENTS
<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</p>



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:



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

NB: Has the following forms been completed, signed and submitted with your proposal?		
Documentation	Checked by Bidder	Checked by Procurement Specialist
Invitation to Bid- SBD 1		
Declaration of interest – SBD 4		
Contract Form (rendering of services) – SBD 7.1		
ID Documents of Directors/Shareholders		
Central Supplier Database Summary Report		
Company Profile		
Submitted One (1) original, one (1) hard copies and one (1) electronic copy (USB) in PDF format.		



ATNS FORM D

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, shareholder²):

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 Reference Number	Tax



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

November 2022



BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of institution	State

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



--	--	--

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

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, 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.

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 **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the 80/20 or 90/10 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	
PRICE	80	90
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20	10
Total points for Price and B-BBEE must not exceed	100	100

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) **“prices”** includes all applicable taxes less all unconditional discounts;



6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: . = (maximum of 10 or 20 points)

(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.

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 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 Supplier which is at last 51% 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

OR

Any EME

Any QSE

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Company



- (Pty) Limited
[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.
[TICK APPLICABLE BOX]

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

8.8 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-BBEE 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

.....

.....



SBD 7.1

CONTRACT FORM - RENDERING OF SERVICES

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

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives/proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remains binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.

1. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - 1.1 Bidding documents, viz



- 1.1.1 Invitation to bid;
- 1.1.2 Tax clearance certificate;
- 1.1.3 Pricing schedule(s);
- 1.1.4 Filled in task directive/proposal;
- 1.1.5 Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
- 1.1.6 Declaration of interest;
- 1.1.7 Declaration of bidder's past SCM practices;
- 1.1.8 Certificate of Independent Bid Determination;

- 1.2 General Conditions of Contract and
- 1.3 Other (specify)

2. 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 services 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.

3. 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 fulfilment of this contract.

4. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid



5. I confirm that I am duly authorized to sign this contract.

NAME
 (PRINT)
 CAPACITY

 SIGNATURE
 E
 NAME OF
 FIRM
 DATE

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



SBD 7.2

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as..... accept your bid under reference numberdated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).

2. An official order indicating service delivery instructions is forthcoming.

3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	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) ...

SIGNATUR

E ...

OFFICIAL STAMP

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