

Terms of Reference TOR 012/2025

REQUEST FOR QUOTATION: SERVICE PROVIDER TO PROVIDE THE DEPARTMENT OF HOME AFFAIRS WITH SERVICES OF A PROFESSIONAL CONSULTING TEAM COMPRISING OF A QUANTITY SURVEYOR, AN ELECTRICAL ENGINEER AND A MECHANICAL ENGINEER. THIS SHORT-TERM APPOINTMENT WILL BE TO ASSESS AND EVALUATE ALL CLAIMS RELATING TO A REFUBISHMENT PROJECT AFTERWICH PROVIDE A REPORT TO BE UTILISED IN A DISPUTE RESOLUTION PROCESS.

CLOSING DATE AND TIME: DATE: 31 JULY 2025 TIME: 11:00 AM VENUE: 230 JOHANNES RAMOKHOASE STREET, PRETORIA

SPECIFICATIONS / TERMS OF REFERENCE

SPECIFICATIONS / TERMS OF REFERENCE (Will form part of the bid documents)

1. Objectives

The objectives (aim) of this Request for Proposal are:

To invite bids from a suitable service provider(s) to provide the Department of Home Affairs with services of a Professional Consulting Team comprising of a Quantity Surveyor, Electrical Engineer and Mechanical Engineer. This short-term appointment will be to assess and evaluate all claims relating to the refurbishment project and thereafter produce a report to be utilized in a dispute resolution.

2. Background

The Department of Home Affairs has completed, through the services an appointed contractor, the refurbishment of 3 (three) sites to house the activities of the departmental Digitization Project. The refurbishment covered the following trades; building works, electrical works and mechanical works. These sites are; namely, Silverton 1 & 2 (15184m²), Church Square (6900m²) and Brits (15945m²)

3. Scope and Extent of the Tender

The successful bidder(s) will be expected to execute and conduct the following tasks for/ provide the following services/items to the Department:

Resource Requirement and Desired Experience

- One (1) x Quantity Surveyor
- One (1) x Electrical Engineer

• One (1) x Mechanical Engineer

Scope

- Analysis and evaluation of all claims, payment certificates and invoices submitted on this project
- Conduct site inspections and compare with claims submitted
- Conduct interviews with all service providers and stakeholders involved in the project.
- Produce a report on the above activities

4. Special Conditions of Contract

- 4.1. To achieve the above the successful bidder will be required to meet the following requirements:
 - The service provider(s) may not recruit or shall attempt to recruit an employee of the Department of Home Affairs for the purposes of preparation of bid or the duration of the execution of this contract or any part thereof.
 - Experience in General Electrical, Mechanical and Building Infrastructure,
 - Knowledge of Government legislations and Policies
 - Build relationship with both internal and external stakeholders
 - Must have the ability to prioritize and multi-task
 - Must have time management skills
 - Must possess teamwork, leadership, and motivational skills
 - Must apply procurement according to Treasury regulations
 - Must have negotiation skills
 - Must have and exercise proactive thinking
 - Must ensure consistent excellence in service delivery

5. Tender Deliverables / Outputs and Timeframes

5.1. The primary deliverables to be achieved

- Prepare and monitor building and infrastructure maintenance schedule.
- Compilation and presentations of reports
- Competent writing and communication skills including the ability to communicate technical information

6. Logistics and Timing

6.1 Project location(s):

Department of Home Affairs digitization three (3) sites (Silverton 1 & 2, Church square, and Brits)

6.2 Expected commencement date:

The contract will commence immediately when the Purchase Order is issued

6.3 Project period:

3 (three) months or less

6.4 Bid proposal

Bidders must ensure that all documents submitted in the files are labeled, indexed and supported by the table of content for ease of reference.

6.5 Fee structure

The cost should be all-inclusive (VAT, Administration cost or overheads cost, Overtime rate, Kilometers rate in line with AA rates, etc.)

6.6 Briefing (pre-bid) session

Not applicable

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| | |

7. EVALUATION CRITERIA

The following evaluation process will be followed to evaluate the bids received:

| Stage | Description | Applicable for this bid |
|----------|--|----------------------------|
| | | (Yes / No) |
| Stage 1A | Briefing session | No |
| Stage 1B | Initial screening process / compliance with bid requirements | Yes |
| Stage 2 | Pre-qualification criteria evaluation | No |
| Stage 3 | Mandatory requirements evaluation | Yes |
| Stage 4 | Functionality requirements evaluation | Yes |
| Stage 5 | Price / Specific goals evaluation | Yes |

Stage 1A: Compulsory briefing session

Not applicable

Stage 1B: Initial screening process / compliance with bid requirements

Verification of bidder's compliance with bid requirements.

| No. | Compliance Checklist | Yes / No |
|-----|--|----------|
| 1. | The bidder is registered on the National Treasury Central Suppliers Database | |

| No. | Compliance Checklist | Yes / No |
|-----|---|----------|
| | (CSD). | |
| 2. | The bidder is in business (as indicated on CSD). | |
| 3. | The bidder is not a restricted supplier/ or does not have a restricted director(s) (as indicated on CSD). | |
| 4. | The bidder is Tax Compliant (as indicated on CSD) or verified through SARS. | |
| 5. | The bidder is not a government employee (as indicated on CSD). | |
| 6. | The bidder completed SBD 1 Form in full together with the letter of authority. | |
| 7. | The bidder completed SBD 4 Form in full and did not reveal any information or past practices that prohibits the supplier from conducting business with the state. | |
| 8. | The bidder completed SBD 6.1 Form in full and must indicate claimed points for each preference point system and attach evidence as per Table 1. | |

Stage 2: Pre-qualification criteria evaluation

• Not applicable

Stage 3: Mandatory requirements evaluation

• Compliance with the mandatory requirements. Bidders who fail to meet the mandatory requirements will be disqualified.

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| Mandatory requirement 1 | Comply | Do not comply | | |
|--|--------|---------------|--|--|
| The Quantity Surveyor must have a minimum of fifteen (15) years | | | | |
| relevant working experience in Build / Infrastructure Environment | | | | |
| Evidence: Curriculum Vitae detailing relevant work experience years. | | | | |

| Mandatory requirement 2 | Comply | Do not comply |
|---|--------|---------------|
| The Electrical Engineer must have a minimum of fifteen (15) years relevant working experience in Build / Infrastructure Environment | | |
| Evidence: Curriculum Vitae detailing relevant work experience years. | | |

| Mandatory requirement 3 | Comply | Do not comply | |
|---|--------|---------------|--|
| The Mechanical Engineer must have a minimum of fifteen (15) years relevant working experience in Build / Infrastructure Environment | | | |
| Evidence: Curriculum Vitae detailing relevant work experience years. | | | |

Stage 4: Functionality requirements evaluation

- Bids will be evaluated in accordance with the prescripts of the Preferential Procurement Policy Framework Act (PPPFA) and the associated Preferential Procurement Regulations of 2022, which stipulate a 80/20 point split for requirements with a Rand value equal to or below R 50 000 000, inclusive of all applicable taxes.
- The Technical proposal will be evaluated out of 100 points with a threshold of 80 points. Bidders that score less than minimum of 80 points will be disqualified.

- Bidders must score a minimum of 80 points on functionality to qualify for further evaluation on price and preference points.
- Each panel member will rate each individual criterion on the score sheet using the points allocated.

| No. | Criteria | Evidence | Weight | Score |
|-----|--|---|--------|-------|
| 1. | Quantity Surveying Qualification | | | |
| | Relevant qualification in Quantity | | | |
| | Surveying and Membership of relevant | Copy of qualification(s) | | |
| | Quantity Surveying associations/body | | 20 | |
| | No Information = 0 Diploma (NQF6) = 5 Degree (NQF7) = 10 Professional registration = 20 | Valid Membership certification/registration | | |
| 2. | Electrical Engineering Qualification | | | |
| | Relevant qualification in Electrical | | | |
| | Engineering and Membership of relevant | | | |
| | Electrical Engineering associations/body | Copy of qualification(s) | | |
| | or membership to an association/body of | | | |
| | engineers | | 20 | |
| | No Information = 0 Diploma (NQF6) = 5 Degree (NQF7) = 10 Professional registration = 20 | Valid Membership certification/registration | | |
| 3. | Mechanical Engineering Qualification | Copy of qualification(s) | | |
| | Relevant qualification in Mechanical | | 20 | |
| | | Valid Membership | | |

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| | Engineering and Membership of relevant | certification/registration | |
|----|--|----------------------------|----|
| | Mechanical Engineering | | |
| | associations/body or membership to an | | |
| | association/body of engineers | | |
| | No Information = 0 Diploma (NQF6) = 5 Degree (NQF7) = 10 | | |
| | Professional registration = 20 | | |
| 4. | Experience | Signed and dated | |
| | | reference letter/s | |
| | The bidder (company) must have | indicating acceptable | |
| | relevant working experience in the Build | level of performance. | |
| | / Infrastructure Environment | | 40 |
| | No Information =0 • 1 Reference Letter = 10 • 2 Reference Letters = 20 • 3 Reference Letters = 30 • 4 Reference Letters = 40 | | |

Stage 5: Price / Specific goals evaluation

 As bids are only invited for requirements with a Rand value equal to or below R 50 000 000 inclusive of all applicable taxes, the 80/20 system shall be applicable and will be calculated as follows:

| SN | COMPONENT | POINTS |
|----|-------------------------------------|--------|
| 1. | Price: | 80 |
| 2. | Preferential points: Specific goals | 20 |
| | TOTAL: | 100 |

Specific goals

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

| The specific goals allocated points in terms of this tender | Number of points allocated (80/20 system) (To be completed by the organ of state) | Evidence | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---|--------------------------|--|
| The company owned / director/s | 7 | Proof of claim as | |
| / shareholders by people who | | declared on SBD 6.1 in | |
| are Black. | | verifying the tenderer's | |
| • 100% company owned by | | status. | |
| people who are Black = 7 | | | |
| points | | The following must be | |
| • ≥51% and <100% company | | submitted as proof of | |

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| The specific goals allocated points in terms of this tender | Number of points allocated (80/20 system) (To be completed by the organ of state) | Evidence | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|--|---|--|--|
| owned by people who are Black = 5 points >0% and <51% company owned by people who are Black = 2 points 0% company owned by people who are Black = 0 points | | claim as declared on SBD 6.1 for the specific goals: • Company Registration Certification as issued by the Companies and Intellectual Property Commission (CIPC). • Sworn Affidavit or valid B-BBEE Certificate or Consolidated B- BBEE certificate for | |

| The specific goals allocated points in terms of this tender | Number of points allocated (80/20 system) (To be completed by the organ of state) | Evidence | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|--|---|--|--|
| | | Consortium, Joint Venture, or Trust | |
| The company owned / director/s | 10 | Proof of claim as | |
| / shareholders by people who | 10 | declared on SBD 6.1 in | |
| are Women. | | verifying the tenderer's | |
| 100% company owned by | | status. | |
| roo% company owned by people who are Women = | | | |
| 10 points | | The following must be | |
| - | | | |
| • ≥51% and <100% company | | submitted as proof of | |
| owned by people who are | | claim as declared on | |
| Women = 5 points | | SBD 6.1 for the specific | |
| >0% and <51% company | | goals: | |
| owned by people who are | | c. Compony | |
| Women = 2 points | | Company Desistration | |
| 0% company owned by | | Registration | |
| people who are Women = 0 | | Certification as | |
| points | | issued by the | |
| | | Companies and | |

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| The specific goals allocated points in terms of this tender | Number of points allocated (80/20 system) (To be completed by the organ of state) | Evidence | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---|--|--|
| | | Intellectual Property Commission (CIPC). Sworn Affidavit or valid B-BBEE Certificate or Consolidated B- BBEE certificate for Consortium, Joint Venture, or Trust | |
| The company owned / director/s / shareholders by people who are Disabled. 100% company owned by people who are Disabled = 3 points ≥51% and <100% company owned by people who are Disabled = 2 points | 3 | Proof of claim as declared on SBD 6.1 in verifying the tenderer's status. The following must be submitted as proof of claim as declared on SBD 6.1 for the specific | |

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| The specific goals allocated points in terms of this tender | Number of points allocated (80/20 system) (To be completed by the organ of state) | Evidence | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---|-----------------------|--|
| >0% and <51% company | | goals: | |
| owned by people who are | | Company | |
| Disabled = 1 points | | Registration | |
| 0% company owned by | | Certification as | |
| people who are Disabled = 0 | | issued by the | |
| points | | Companies and | |
| | | Intellectual Property | |
| | | Commission (CIPC). | |
| | | Sworn Affidavit or | |
| | | valid B-BBEE | |
| | | Certificate or | |
| | | Consolidated B- | |
| | | BBEE certificate for | |
| | | Consortium, Joint | |
| | | Venture, or Trust. | |

*NB: Points will be allocated based on % ownership to the Company (main tendering entity). Please attach proof/ required documents.

8. Minimum requirements

Suppliers must ensure that the following documents are fully completed, signed and submitted as part of the bid documents:

- (i) Price Proposal
- (ii) SBD 1: Invitation to Bid
- (iii) SBD 4 form: Bidders Disclosure
- (iv) SBD 6.1 form: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022;

(Note to tenderers: The tenderer must indicate how they claim points for each preference point system).

- (v) A valid SANAS B-BBEE Status Level Verification certificate or a B-BBEE certificate issued by the Companies and Intellectual Property Commission, with the exception of EME's and QSE's who are required to submit sworn affidavit in terms of Code of Good Practice. The sworn affidavit must be signed by the EME representative and attested by a Commissioner of Oath.
- (vi) Ownership Certificates issued by the Companies and Intellectual Property Commission (CIPC).
- (vii) Letter of Authority: The title, name, surname, and position of an authorised person to sign the bidding documents and communicate with the department on behalf of the bidding company. The contact details of the authorised person including the telephone number or work cell number and the email address.
- (viii) Tax compliance status pin issued by SARS.

Envelopes must be hand delivered to:

Department of Home Affairs 230 Johannes Ramokhoase Street Hallmark building Pretoria 0001

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Bid documents may either be submitted through a courier services or hand delivered to the steel box (Quotation Box) situated at the main entrance of the Hallmark Building at the address indicated as per above. If the bid documents are submitted through a courier services, it is the responsibility of the bidder to ensure that the documents are inside the steel bid box (Quotation box) by the closing time and date. Faxed or emailed bids will not be accepted.

Late proposal will not be accepted and/or will be returned unopened to the Bidder.

Please direct all your bid proposals for attention: Ms Valencia Ndhlovu

Tel (012) 406 2771

9. Enquiries

Direct all technical questions to: Mr Vukani Nxasana 012 406 2024 / 071 641 5892 Email:Vukani.nxasana@dha.gov.za

Direct all Supply Chain Management questions: Name: Ms Valencia Ndhlovu Tel: 012 406 2771 Email: <u>Valencia.Ndhlovu@dha.gov.za</u>

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SBD1

PART A INVITATION TO BID

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF HOME AFFAIRS | | | | | |
|--|--|---------------|--------------|---------------|----------|
| BID NUMBER: | TOR 012/2025 | CLOSING DATE: | 31 July 2025 | CLOSING TIME: | 11:00 AM |
| | Services of a Professional Consulting Team comprising of a Quantity Surveyor, Electrical | | | | |
| | Engineer and Mechanical Engineer. This short-term appointment will be to assess and | | | | |
| evaluate all claims relating to the refurbishment project and thereafter produce a report to | | | | | |
| DESCRIPTION be utilized in a dispute resolution. | | | | | |
| PID DESDONSE DOCUMENTS MAY BE DEDOSITED IN THE PID BOY SITUATED AT (STREET ADDRESS) | | | | | |

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS) Department of Home Affairs

230 HALLMARK Building

Pretoria

| BIDDING PROCEDURE ENQUIRIES MAY BE | | | | |
|------------------------------------|-----------------------------|---|---------------------------|--|
| DIRECTED TO | | TECHNICAL ENQUIRIES MAY BE DIRECTED TO: | | |
| CONTACT | | | | |
| PERSON | Ms Valencia Ndhlovu | CONTACT PERSON | Mr Vukani Nxasana | |
| TELEPHONE | | | | |
| NUMBER | 012 406 2771 | TELEPHONE NUMBER | 012 406 4024 | |
| FACSIMILE | | | | |
| NUMBER | N/A | FACSIMILE NUMBER | N/A | |
| E-MAIL ADDRESS | Valencia.Ndhlovu@dha.gov.za | E-MAIL ADDRESS | Vukani.nxasana@dha.gov.za | |
| SUPPLIER INFORMA | TION | • | | |
| NAME OF BIDDER | | | | |
| POSTAL ADDRESS | | | | |
| STREET ADDRESS | | | | |
| TELEPHONE | | | | |
| NUMBER | CODE | NUMBER | | |
| CELLPHONE | | · · · | | |
| NUMBER | | | | |
| FACSIMILE | | | | |
| NUMBER | CODE | NUMBER | | |
| E-MAIL ADDRESS | | | | |
| VAT | | | | |

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| REGISTRATION NUMBER | | | | | | | |
|--|----------------------------------|------------------|------------|---|----------------------------------|---------|------------|
| SUPPLIER COMPLIANCE STATUS | TAX COMPLIANCE SYSTEM PIN: | | OR | CENTRAL SUPPLIER DATABASE No: | MAAA | | |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED? | □Yes [IF YES ENCLO | ⊡No SE PROOF] | BAS THE | You a foreign Ed supplier for Goods Vices offered? | ☐Yes [IF YES, QUESTIONNAII | | □No THE |
| QUESTIONNAIRE TO | BIDDING FORE | IGN SUPPLIERS | | | | | |
| IS THE ENTITY A RE | SIDENT OF THE | REPUBLIC OF SOU | ITH AF | FRICA (RSA)? | | 🗌 YES 🗌 |] NO |
| DOES THE ENTITY H | IAVE A BRANCH | IN THE RSA? | | | | 🗌 YES [| NO |
| DOES THE ENTITY H | IAVE A PERMANI | ENT ESTABLISHME | INT IN | THE RSA? | | 🗌 YES [| NO |
| DOES THE ENTITY H | IAVE ANY SOUR | CE OF INCOME IN | THE R | SA? | | 🗌 YES [| NO |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? | | | | | | | |

PART B

TERMS AND CONDITIONS FOR BIDDING

| 1. | BID SUBMISSION: |
|------|---|
| 1.1. | BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. |
| 1.2. | ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT. |
| 1.3. | THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT. |

1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

| SIGNATURE OF BIDDER: | |
|--|--|
| CAPACITY UNDER WHICH THIS BID IS SIGNED: | |
| (Proof of authority must be submitted e.g. company resolution) | |
| DATE: | |

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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 interest1 in the enterprise, employed by the state? YES/NO
- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

| Full Name | Identity Number | Name of State institution |
|-----------|-----------------|---------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

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

2.2.1 If so, furnish particulars:

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

3 DECLARATION

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

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

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

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 |

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| | |

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) The 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
- 1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
 - (a) Price; and
 - (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

| | POINTS |
|-------------------------|--------|
| PRICE | 80 |
| SPECIFIC GOALS (B-BBEE) | 20 |

 Total points for Price and SPECIFIC GOALS
 100

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20 or 90/10

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right)$$
 or $Ps = 90\left(1 - \frac{Pt - P\min}{P\min}\right)$
Where
 $Ps = Points$ scored for price of tender under consideration

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| |

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

80/20 or 90/10

$$Ps = 80\left(1 + \frac{Pt - Pmax}{Pmax}\right)$$
 or $Ps = 90\left(1 + \frac{Pt - Pmax}{Pmax}\right)$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.

| The specific goals allocated points in terms of this tender | Number pointsofallocated(80/20(80/20system)(Tobecompletedbythe organofstate) | Evidence | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---|---|--|
| The company owned / director/s / shareholders by people who are Black. | 7 | Proof of claim as declared on SBD 6.1 in verifying the tenderer's status. | |
| • 100% company owned by people who are Black = 7 points | | The following must be submitted as proof of claim as declared on SBD 6.1 for the specific goals: | |
| • ≥51% and <100% company owned by people who are Black = 5 points | | Company Registration Certification | |
| >0% and <51% company owned by people who are Black = 2 points | | as issued by the Companies and Intellectual Property Commission (CIPC). | |
| 0% company owned by people who are Black = 0 points | | Sworn Affidavit or valid B-BBEE Certificate or Consolidated B-BBEE certificate for Consortium, Joint Venture, or Trust. | |

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| The specific goals allocated points in terms of this tender | Number of points of allocated (80/20 system) (To be completed by the organ of state) | Evidence | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---|--|--|
| The company owned / director/s / shareholders by people who are Women. | 10 | Proof of claim as declared on SBD 6.1 in verifying the tenderer's status. | |
| 100% company owned by people who are Women = 10 points | | The following must be submitted as proof of claim as declared on SBD 6.1 for the specific goals: | |
| ≥51% and <100% company owned by people who are Women = 5 points >0% and <51% company owned by people who are Women = 2 points | | Company Registration Certification as issued by the Companies and Intellectual Property Commission (CIPC). | |
| 0% company owned by people who are Women = 0 points | | • Sworn Affidavit or valid B-BBEE Certificate or Consolidated B-BBEE certificate for Consortium, Joint Venture, or Trust. | |
| The company owned / director/s / shareholders by people who are Disabled. | 3 | Proof of claim as declared on SBD 6.1 in verifying the tenderer's status. | |
| 100% company owned by people who are Disabled = 3 points | | The following must be submitted as proof of claim as declared on SBD 6.1 for the specific goals: | |
| • ≥51% and <100% company owned by people who are Disabled = 2 points | | Company Registration Certification as issued by the Companies and | |

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| The specific goals allocated points in terms of this tender | Number of points of allocated (80/20 system) (To be completed by the organ of state) | Evidence | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|--|---|--|
| >0% and <51% company owned by people who are | | Intellectual Property Commission (CIPC). | |
| Disabled = 1 points 0% company owned by people who are Disabled = 0 points | | Sworn Affidavit or valid B-BBEE Certificate or Consolidated B-BBEE certificate for Consortium, Joint Venture, or Trust. | |

DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.3. Name of company/firm.....
- 4.4. Company registration number:
- 4.5. TYPE OF COMPANY/ FIRM
 - Partnership/Joint Venture / Consortium
 - □ One-person business/sole propriety
 - □ Close corporation
 - Public Company
 - Dersonal Liability Company
 - □ (Pty) Limited
 - Non-Profit Company
 - State Owned Company

[TICK APPLICABLE BOX]

- 4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:
 - i) The information furnished is true and correct;
 - ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
 - iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
 - iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

| SIGNATURE(S) OF TENDERER(S) | | | | | |
|-----------------------------|--|--|--|--|--|
| SURNAME AND NAME: DATE: | | | | | |
| ADDRESS: | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM DESCRIPTION BID PRICE IN RSA CURRENCY

NO **(ALL APPLICABLE TAXES INCLUDED)

1. The accompanying information must be used for the formulation of proposals.

 Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.
 R.....

- 3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)
- 4. PERSON AND POSITION HOURLY RATE DAILY RATE

| R | R |
|-------|---|
| R | R |
| R | R |

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| 5. | PHASES ACCORDING TO WHICH | I THE PROJECT | WILL BE COMPLETED | , COST PER PHASE | AND MAN- |
|----|---------------------------|---------------|-------------------|------------------|----------|
| DA | AYS TO BE SPENT | | | | |

-----R------R-------

R-----

| R | days |
|-------|------|
| R | days |
| R | days |
| R | days |

5.1 Travel expenses (specify, for example rate/km and total km, class of air travel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

| DESCRIPTION OF EXPENSE TO BE INCURRED | RATE | QUANTITY | AMOUNT |
|---------------------------------------|------|----------|--------|
| | | | R |
| | | | R |
| | | | R |

* "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

5.2 Other expenses, for example accommodation (specify, eg. Three-star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

| | DESCRIPTION OF EXPENSE TO BE INCURRED | RATE | QUANTITY | AMOUNT |
|----|---|-------------|----------|--------|
| | | | | R |
| | | | | R |
| | | | | R |
| | | | | R |
| | | TOTAL: R | | |
| | | | | |
| 6. | Period required for commencement with project after | r acceptanc | e of bid | |
| 7. | Estimated man-days for completion of project | | | |
| 3. | Are the rates quoted firm for the full period of contract | ct? ' | YES/NO | |

R.....

9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.

*[Delete if not applicable]