

**PROVINCE OF
THE EASTERN CAPE**



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THE EASTERN CAPE**

DEPARTMENT OF EDUCATION

CONTRACT NO: SCMU6-22/23-0011

**STANDARD BIDDING DOCUMENT: APPLICATION FOR
REGISTRATION AS A SPECIALIST SERVICES CONTRACTOR
FOR DESLUDGING/CLEANING OF VIP TOILETS (SANITATION
PROJECTS) ON ECDOE INFRASTRUCTURE SUPPLIER
DATABASE FOR EASTERN CAPE PROVINCE.**

Issued by:

Province of the Eastern Cape
Department of Education
Private Bag X0032
BISHO
5605

Prepared by:

N. Mahlaza
Steve Vukile Tshwete Education Complex
Zone 6, Zwelitsha
5605

Tel: (040) 608 4524
Contact Person: Mr. P.Nxozana

Name of Bidder: _____

Closing Date: **6TH DECEMBER 2022**



Province of the
EASTERN CAPE
EDUCATION

DESCRIPTION: APPLICATION FOR REGISTRATION AS SPECIALIST SERVICES CONTRACTOR FOR DESLUDGING/ EMPTYING/ CLEANING OF VIP TOILETS (SANITATION PROJECTS) ON ECDOE INFRASTRUCTURE SUPPLIER DATABASE FOR EASTERN CAPE PROVINCE	
SCMU NUMBER:	SCMU6-22/23-0011
PUBLISH DATE:	11 NOVEMBER 2022
VALIDITY PERIOD:	Offer to be valid for 120 days from the closing date of bid
CLOSING DATE:	01 DECEMBER 2022
CLOSING TIME:	11:00
RFQ'S MUST BE HAND DELIVERED / COURIERED TO:	The Eastern Cape Department of Education Steve Tshwete Complex, Zone 6 Zwelitsha
ATTENTION:	<p>Bidders must ensure that bids are delivered in time to the correct address and deposited in the tender box which is located at the foyer in the main building of the Eastern Cape Department of Education herein referred to as the ECDoE, Head Office in Zwelitsha.</p> <p>If a bid is late, it shall not be accepted for consideration. The Eastern Cape Department of Education's tender box is accessible Monday to Friday, from 08h00 to 16h00. Bidders must advise their couriers of the instruction above to avoid misplacement or loss of bid responses.</p> <p>It is the onus of the bidder to ensure that the bid documents are delivered on time regardless of the mode of delivery.</p> <p>No bid documents will be considered after the closing time and the date of this bid which is indicated in previous row herein above.</p>
BIDDERS NAME:	

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APPLICATION FOR REGISTRATION AS SPECIALIST SERVICES CONTRACTOR FOR WATER CARTING (WATER PROJECTS) AND DESLUDGING/EMPTYING/CLEANING OF VIP TOILETS (SANITATION PROJECTS) ON ECDOE INFRASTRUCTURE SUPPLIER DATABASE FOR EASTERN CAPE PROVINCE	
REFERENCE NUMBER:	EOI DESLUDGING 2022/08/011
DESCRIPTION	REQUEST FOR EXPRESSION OF INTEREST FOR SPECIALIST SERVICES CONTRACTOR: The Eastern Cape Department of Education calls for Expression of Interest from capable and competent specialist services contractor who are registered on CIDB and have an active CIDB SO grading for desludging, emptying and cleaning of VIP toilet facilities/ septic tanks in various schools within the Eastern Cape Province. NOTE: Disbursements claimable from DoE District office or 400km return upper limit DPW rates to APPLY
COMPULSARY BRIEFING SESSION	There will be no briefing session
VALIDITY PERIOD	120 Days from the closing date
ADVERTISEMENT DATE	22 AUGUST 2022
CLOSING DATE	21 SEPTEMBER 2022
CLOSING TIME	11H00
EXPRESSION OF INTEREST DOCUMENTS MUST BE HAND DELIVERED / COURIED TO	
RECEPTION AREA OF THE DEPARTMENT OF EDUCATION,	
STEVE VUKILE TSHWETE EDUCATION COMPLEX, ZONE 6,	
ZWELITSHA,	
5608	

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<p>MAKING A SUBMISSION</p>	<p>Return all returnable documents to the employer after completing them in their entirety, by writing legibly in non-erasable ink.</p> <p>Incomplete expression of interest response documents may be disqualified or evaluated solely on information contained in the expression of interest.</p> <p>The ECDoe may disregard any content in a Tender that is illegible and will be under no obligation whatsoever to seek clarification from the Bidder.</p> <p>No correction fluid must be used on the document</p>		
<p>LATE SUBMISSION</p>	<p>Bidders must ensure that expression of interest responses are delivered in time to the correct address and deposited in the tender box which is located at the foyer in the main building of the ECDoe, Head Office in Zwelitsha. If a bid is late, it shall not be considered for evaluation in line with Sub-Paragraph 5.3 of the National Treasury Implementation of Supply Chain Management. The Eastern Cape Department of Education's tender box is accessible 8 hours a day from 08h00 to 16h30, 5 working days a week from Monday to Friday. Bidders must ensure that they sign the register at the main reception counter when delivering bids. Bidders must advise their couriers of the instruction above to avoid misplacement or loss of bid responses.</p>		
<p>REQUEST FOR BID PROPOSAL PROCEDURE ENQUIRIES MAY BE DIRECTED TO</p>		<p>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</p>	
<p>CONTACT PERSON</p>	<p>Mr P Nxozana</p>	<p>CONTACT PERSON</p>	<p>Mr. Q Msiwa</p>
<p>TELEPHONE NUMBER</p>	<p>040 635 1999</p>	<p>TELEPHONE NUMBER</p>	<p>040 608 4280</p>
<p>E-MAIL ADDRESS</p>	<p>Pakamile.Nxozana@ecdoe.gov.za</p>	<p>E-MAIL ADDRESS</p>	<p>Qiqile.Msiwa@ecdoe.gov.za</p>
<p>SUPPLIER INFORMATION</p>			
<p>NAME OF BIDDER</p>			
<p>COMPANY REGISTRATION NUMBER</p>			
<p>POSTAL ADDRESS</p>			
<p>STREET ADDRESS</p>			
<p>TELEPHONE NUMBER</p>	<p>CODE</p>		<p>NUMBER</p>

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CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> NO	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED FOR INITIAL ADMINISTRATION SCREENING PROCESS & WILL NOT BE USED TO EVALUATE OR SCORE POINTS ON FUNCTIONALITY]				
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS				
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA) YES <input type="checkbox"/> NO <input type="checkbox"/>				
DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES <input type="checkbox"/> NO <input type="checkbox"/>				
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES <input type="checkbox"/> NO <input type="checkbox"/>				
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES <input type="checkbox"/> NO <input type="checkbox"/>				
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES <input type="checkbox"/> NO <input type="checkbox"/>				

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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.

SBD 1 / PART B

TERMS AND CONDITIONS FOR EXPRESSION OF INTEREST

1. EXPRESSION OF INTEREST SUBMISSION:

- 1.1. EXPRESSION OF INTEREST APPLICATIONS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE SUBMISSIONS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL EXPRESSION OF INTEREST APPLICATIONS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE EXPRESSION OF INTEREST DOCUMENT.

2. SBD 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 EXPRESSION OF INTEREST APPLICATION.
- 2.5 IN EXPRESSION OF INTEREST APPLICATIONS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER AND A JOINT VENTURE AGREEMENT CLEARLY INDICATING THE SHAREHOLDING.
- 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 EXPRESSION OF INTEREST APPLICATION 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 OR PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BIDDERS EXPRESSION OF INTEREST APPLICATION INVALID.

SIGNATURE OF
BIDDER.....

CAPACITY UNDER WHICH THIS EXPRESSION OF INTEREST APPLICATION IS
SIGNED:.....

(Proof of authority must be submitted e.g. company resolution)

DATE:.....

DOCUMENT NAVIGATION

Number	Heading
	Part 1- Notice and invitation to submit an expression of interest
	Part 2- Terms of Reference
	Part 3 - Submission procedures
3.1	Submission data
	Part 4 - Returnable documents
4.1	List of returnable documents
4.2	Submission schedules

PART 2: TERMS OF REFERENCE

1. DEFINITIONS

The Department Eastern Cape Department of Education.

Project Manager means the Department of Education Official responsible for the overall management of the programme and ensures that the programme meets the standards set for the programme deliverables including objectives regarding performance and quality in accordance with the

budget and schedule. The project manager assumes accountability for the project deliverables, cost and deliverables

- Programme goals.** means several projects that are coordinated to achieve programme goals.
- ECDOE** means Eastern Cape Department of Education.
- SCM** means Supply Chain Management
- VAT** means Value Added Tax
- B-BBEE** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- Co-operative** means a co-operative registered in terms of section 7 of the Cooperatives Act, 2005 (Act No. 14 of 2005);
- Functionality** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents;
- Service Level Agreement (SLA)** is a contract between the Professional Service Providers and (ECDoE) that defines the level of service expected from both parties.
- National Treasury** has the meaning assigned to it in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- Price** includes all applicable taxes less all unconditional discounts.
- QSE** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- Rand value** means the total estimated value of a contract in Rand, calculated at the time of the tender invitation;
- Rural area means**
- (a) a sparsely populated area in which people farm or depend on natural resources, including villages and small towns that are dispersed through the area; or
 - (b) an area including a large settlement which depends on migratory labour and remittances and government social grants for survival, and may have a traditional land tenure system;
- Stipulated minimum threshold means** the minimum threshold stipulated in terms of regulation 8(1)(b);
- The Act** means the preferential procurement policy framework act, 2000: preferential
- Township** means an urban living area that any time from the late 19th century until 27 April 1994, was reserved for black people, including areas developed for historically disadvantaged individuals post 27 April 1994;
- SME** stands for **Small Medium Enterprise** and procurement regulations, 2017
- SMME stands for **Small Medium Micro Enterprise**.

SMME are companies that are below R5 million turn over per annum, this is the standard for generic broad-based BEE scorecard purpose.

Built environment refers to the man-made structures, features and facilities viewed collectively as an environment in which people live and work.

Desludging is the process of removing both the scum and the sludge layers from your primary septic tank/ VIP toilets, usually with a vacuum honey sucker truck/ truck with tanks/ honey sucker trailer/ sewerage sucker trailer that comes along to essentially pump them out through the top access lid/ manhole cover.

People with disabilities has the meaning assigned to it in section 1 of the Employment Equity Act, 1998 (Act No. 55 of 1998);

Proof of B-BBEE status Level of contributor means-the B-BBEE status level certificate issued by an authorised body or person or a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice or any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act;

Broad-Based Black Economic Empowerment Act means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

Designated group means

- (b) Black designated groups
- (c) black people;
- (d) women;
- (e) people with disabilities; or
- (f) small enterprises, as defined in section 1 of the National Small Enterprise Act, 1996 (Act No. 102 of 1996);

Designated sector means a sector, sub-sector or industry or product designated in terms of regulation 8(1)(a);

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;

2. INTRODUCTION

The Eastern Cape Department of Education calls for Expression of Interest from capable and competent specialist services contractor who are registered on CIDB and have an active CIDB SO grading for desludging, emptying and cleaning of VIP toilet facilities/ septic tanks in various schools within the Eastern Cape Province.

3. BACKGROUND

The Department manages and operates a huge number of schools in the province that are not connected to municipal services due to absence of these basic services at the municipal/ward areas particularly in the semi-urban and rural areas.

Most of these schools have various types of pit-latrines that require regular desludging, emptying and cleaning

Whilst most of these schools have inappropriate structures and require urgent intervention, pressing their conditions are highly unhygienic since they are filled with sewage and other waste material in the Pit toilets

The contamination of water resources as it relates to discharge to water streams is a violation to the following legislations (laws):

Section 24 of the Constitution, which states that everyone has a right to an environment that is not harmful to their wellbeing.

Section 28 of National Environmental Management Act, which puts more emphasis on the duty of care and remediation of environmental damage.

The issues mentioned above have been raised on numerous occasions by the Human Rights Commission (HRC) to the Department and reiterated poignantly by the various school communities, municipalities, interest groups and members of the legislature in the different visits to schools.

PLEASE TAKE NOTE, only the capable and competent specialist services contractors who have an active CIDB SO registration status for desludging, emptying and cleaning of VIP toilet facilities/ septic tanks will be considered for the inclusion on the Database.

4. DURATION

The successful bidders will be shortlisted as specialist services contractor who are registered on CIDB and have an active CIDB SO grading for desludging, emptying and cleaning of VIP toilet facilities/ septic tanks in various schools within the Eastern Cape Province for a period of twenty-four (24) months from date of appointment.

5. SUBMISSION OF MANDATORY REQUIREMENTS

Failure to adhere to any of these requirements will result in disqualification:

- a. Bid documents received after closing date and time will not be considered for evaluation in line with Sub-Paragraph 5.3 of the National Treasury Implementation of Supply Chain Management.

6. EVALUATION PROCESS

The evaluation process will be based on Method 2 evaluation criteria and comprises of the of the standard conditions of tender contained in the CIDB Standard tender evaluation method.

The evaluation process will be in two (2) phases, namely: -

6.1 Phase 1: Initial administration screening process

- Administrative Compliance – Bidders must submit all Standard Bidding Documents (SBDs), as outlined in table 6.1.1 below. SBD documents must be completed in full and duly signed where required.

During the administrative compliance phase, potential service providers will be pre-screened to determine Central Supplier Database (CSD) registration and compliance with tax matters, submission of complete and duly signed Standard Bidding Documents (SBD Forms) and other requirements as indicated below:

Table 6.1.1

DISQUALIFYING CRITERIA

Document to be submitted	Requirement	Non-submission / non-compliance may result in disqualification
NB: Active registration with CIDB for SO grading - Water supply and drainage for buildings (wet services, plumbing)	Active CIDB SO grading	YES <input type="checkbox"/> NO <input type="checkbox"/>
Central Supplier Database (CSD) Registration and Compliance Report or CSD Registration number	Bidders must register on Central Supplier Database System and submit the Report as confirmation of registration. The successful bidders will be expected to be registered and compliant on CSD at the date of evaluation of the EOI . In the event that the supplier is not registered and compliant	YES <input type="checkbox"/> NO <input type="checkbox"/>

	on CSD, this will result in disqualification	
National Treasury database of restricted suppliers	Verify against the National Treasury Database of restricted suppliers	YES <input type="checkbox"/> NO <input type="checkbox"/>

All EOI responses will also be assessed for compliance with the administrative requirements of the evaluation criteria:

The Department reserves the right to reject proposals that are not submitted in the prescribed format or where the information presented is illegible or incomplete.

6.2 Phase 2: The department will evaluate the bidders on functionality

a. Bidders must meet a minimum of 70 points on functionality in order to qualify for inclusion on the database and proceed to the next stage of evaluation.

Criteria	Maximum number of points
Allocation of points for experience of the entity	20
Allocation of points for plant, machinery and equipment for the desludging of toilets/ septic tanks	15
Implementation strategy	15
Human Resources and their responsibilities	10
Quality control and Health and Safety Issues	10
Approach on disposal of the sludge	15
Reviewed or Audited Financial statements or Confirmation of bank account	10
Local Economic development	5
Maximum possible score for evaluation criteria	100

Phase 2: Technical Evaluation (Functionality)

The bidders will be evaluated on functionality and in terms of ECDoE SCM Policies and Procedures. Bidders must score a minimum of 70% on functionality to qualify for inclusion on the database for the specialist services contractor who are registered on CIDB and have an active CIDB SO grading for desludging, emptying and cleaning of VIP toilet facilities/ septic tanks in various schools within the Eastern Cape Province. Attach copies and proof of documents required

#	Functionality Area	Points
1	Entity's experience and knowledge Experience and expertise in providing desludging, emptying and cleaning of VIP toilet facilities/ septic tanks. Please provide a minimum of three (3) reputable, contactable references where similar services were rendered. The reference letter must provide details of the name of the client, state the contract duration, the contact details of the client (cell phone, landline and email address), the value of the contract(s), and the performance of the Service Provider throughout the duration of the contract period.	
	Allocation of points for the experience of the entity	20
	3 and or above contactable references with an evaluation score of 4/5 or 5	20
	2 contactable references with a score of 4/5 or 5	15
	1 contactable reference with a score of 4/5 or 5	10
	Negative references with scores 0 to 2 over 5	5
	None, no contactable references	0
2	Plant and Equipment Availability of desludging plant/ machinery/ equipment to execute the project	
	Allocation of points for plant, machinery and equipment for the desludging of toilets/ septic tanks	15
	8 to 10 or more honey sucker trucks/ trucks with tanks/ honey sucker trailer/ sewerage sucker trailer ((Proof of hiring, registration and ownership documents)	15
	5 to 7 or more honey sucker trucks/ trucks with tanks/ honey sucker trailer/ sewerage sucker (Proof of hiring, registration and ownership documents)	12
	2 to 4 or more honey sucker trucks/ trucks with tanks/ honey sucker trailer/ sewerage sucker trailer (Proof of hiring, registration and ownership documents)	9
	1 honey sucker truck/ truck with tank/ honey sucker trailer/ sewerage sucker trailer (Proof of hiring, registration and ownership documents)	5
	None (0)	0
3	Implementation strategy Step by step methodology which the service provider has utilized in the past for desludging of toilets and water carting	
	Allocation of points for the implementation strategy	15
	Understanding of the terms of reference	3
	Theoretical framework	3
	Practical experience that can be showcased	3
	Lessons learnt and risk areas	3
	Mitigation factors to deal with the risks identified	3

4	Human resources and their responsibilities		
	Allocation of points for human resources	10	
	List and responsibilities of human resources required to implement the desludging of toilets	2	
	Certified qualifications and experience of the project team that will be supporting the implementation	2	
	Functions and responsibilities of the staff	2	
	Staff organogram	2	
	Competencies and experience of key staff (Curriculum vitae and qualifications)	2	
5	Quality control and Health and Safety Issues		
	Allocation of points for Quality control and Health and Safety Issues	10	
	Understanding of Health and Safety issues (e.g Health and safety plan)	2.5	
	Mitigation factors on Health and Safety issues regarding staff and the environment (e.g barricading, PPE etc.)	2.5	
	Plan on the disposal of the sludge (Where is the sludge going to be disposed, disposal certificate etc)	2.5	
	Plan on the treatment water quality and mitigation of the pollution of the ground water	2.5	
6	Approach on the Disposal of the sludge		
	Allocation of points on the approach to be employed on the disposal of the sludge	15	
	Breaking and Emptying of the hardened sludge	5	
	Treatment of the sludge and or disinfection	5	
	Cleaning of the toilets after the emptying of the sludge	5	
7	Reviewed or audited financial statements or confirmation of bank account letter		
	Allocation of points for Reviewed or audited financial statements or confirmation of bank account letter	10	
	Submission of a bank account verification letter of the entity	5	
	Submission of reviewed or Audited Financial Statement of the entity	5	
	Non submission of reviewed or Audited Financial Statements or Confirmation of Bank Account of the entity	0	
8	Local Economic Development		
	Allocation of points for Local Economic Development	5	
	Purchase of local materials	2.5	
	Percentage subcontracted to SMMEs/ employment of local laborers	2.5	
	TOTAL POINTS	100	

SCORING METHODOLOGY

The evaluation will be based on the criteria as set out in the expression of interest scoring criteria. Individual value scores will be added to obtain the points scored for all elements. Only bidders that have met or exceeded the minimum threshold of 70% as stipulated in the expression of interest will be eligible for inclusion on the database for the specialist services contractor who are registered on CIDB and have an active CIDB SO grading for desludging, emptying and cleaning of VIP toilet facilities/ septic tanks in various schools within the Eastern Cape Province

INSTRUCTIONS FOR COMPLETION AND SUBMISSION OF EXPRESSION OF INTEREST APPLICATIONS

Content and packaging of the Expression of Interest Applications

The hard copy expression of interest document must be packed in an Arch Lever file / bound as follows:

- Section 1 – All SBD documents, B-BBEE certificate/affidavit, CSD report and Identity documents of directors or shareholders of the company.
- Section 2 – Technical proposal.

	Title	Purpose
Section 1: Standard bidding documents and administrative compliance		
1	SCM SBD 1 – Invitation to bid	To be printed, filled in by hand and signed.
2	SCM SBD 2 – Tax compliance status requirements: Central Supplier Database (CSD) number/report	To be submitted.
3	SCM SBD 4 – Bidders disclosure	To be printed, filled in by hand and signed.
4	Identity documents of directors or shareholders of the company.	Certified copies not older than six(6) months to be submitted.
5	Category and related skills/expertise	To be submitted.
Section 2: Technical proposal		
6	Bidder's technical Implementation strategy	To be submitted.
7	Nominated Project Manager's Details and CV	To be submitted.
8	Valid CIDB SO grading registration report	To be submitted.

8. Labelling of Expression Of Interest

The bidder shall place the hardcopy EOI proposal into a sealed envelope or package and must be clearly marked and addressed as follows:

EOI :	APPLICATION FOR REGISTRATION AS A PROFESSIONAL SERVICE PROVIDER(S) ON ECDOE INFRASTRUCTURE SUPPLIER DATABASE
Reference No:	EOI DESLUDGING 2022/08/011
Submission closing date:	21 September 2022
Submission closing time:	11h00
Name of Bidder:	
Contact number of Bidder:	
Address of Bidder:	

PART 3: SUBMISSION PROCEDURES

3.1 SUBMISSION DATA

The Standard Conditions for the calling of Expression of Interest applications as contained in Annexure D of the CIDB's *Standard for Uniformity for Construction Procurement – August 2019, apply.*

See the CIDB website (www.cidb.org.za).

The Standard Conditions for the calling of Expression of Interest make several references to the Submission Data. The Submission Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions for the calling for Expression of Interest.

Clause number	Condition with description
D.1	General
D.1.1	Actions
D1.1.1	ECDoE as the Employer and each respondent submitting an expression of interest shall comply with these conditions for calling for expressions of interest. In their dealings with each other, they shall discharge their duties and obligations as set out in D.2 and D.3, timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anti-competitive practices.
D.1.1.2	<p>The employer and the respondent and all their employees involved in the submission process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Respondents shall declare any potential conflict of interest in their submissions. Employees and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict, and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.</p> <p><i>Note:</i></p> <ol style="list-style-type: none"> 1) <i>A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.</i> 2) <i>Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.</i>
D.1.1.3	The respondent shall not make a submission without having a firm intention and the capacity to proceed with the next stage of the procurement process.

D.1.2	<p>Supporting documents</p> <p>The documents issued by the employer for the purpose of obtaining expressions of interest are listed in the submission data.</p>
D.1.3	<p>Interpretation</p>
D.1.3.1	<p>The submission data and additional requirements contained in the submission schedules that are included in the returnable documents are deemed to be part of these conditions for the calling for expressions of interest.</p>
D.1.3.2	<p>For the purposes of these conditions for the calling for expression of interest, the following definitions apply:</p> <p>a) conflict of interest means any situation in which:</p> <ul style="list-style-type: none"> i) Someone in a position of trust has competing professional or personal interests which make it difficult to fulfil his or her duties impartially. ii) An individual or organisation is able to exploit a professional or official capacity in some way for their personal or corporate benefit. iii) Incompatibility or contradictory interests exist between an employee and the organisation which employs that employee. <p>b) Corrupt practice means the offering, giving, receiving, or soliciting of anything of value to influence the action of the employer or his staff or representatives in the tender process; and</p> <p>c) Fraudulent practice means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels</p>
D.1.4	<p>Communication and employer 'representative</p> <p>Each communication between the employer and a respondent shall be to or from the employer representative only, and in a form that can be readily read, copied and recorded. Communications shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a respondent.</p> <p>The name and contact details of the employers 'representative is stated in the submission data.</p>
D.1.5	<p>Confidentiality and copyright of documents</p> <p>Treat as confidential all matters arising in connection with the EOI . Use and copy the documents issued by the employer only for the purpose of preparing the submission in response to the invitation.</p>

D.1.6	<p>Alterations to documents</p> <p>Do not make any alterations or additions to the submission documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the respondent. All signatories to the submission shall initial all such alterations.</p>
D.2	<p>Respondent's obligations</p>
D.2.1	<p>Eligibility</p> <p>Submit an expression of interest only if the respondent complies with the criteria stated in the submission data and the respondent, or any of his/her principals, is not under any restriction to do business with the employer.</p>
D.2.2	<p>Cost of submissions</p> <p>Accept that the employer will not compensate the respondent for any costs incurred in the preparation and delivery of a submission</p>
D.2.3	<p>Check documents</p> <p>Check the submission documents on receipt, including pages within them, and notify</p> <p>Email: Qiqile.Msiwa@ecdoe.gov.za</p> <p><u>Pakamile.Nxozana@ecdoe.gov.za</u></p> <p>of any discrepancy, error or omission.</p> <p>The Respondent must promptly notify the ECDOE in writing of such discrepancy, error, or omission. ECDOE will consider what corrective action is necessary (if any) and inform all Respondents on corrective action without attribution to the Respondent who provided the written notice</p>
D.2.4	<p>Acknowledge addenda</p> <p>Acknowledge receipt of addenda to the submission documents, which the employer may issue, and if necessary, apply for an extension to the closing time stated in the submission data, in order to take the addenda into account.</p>
D.2.5	<p>Clarification meeting</p> <p>A clarification meeting for this EOI will not be held.</p>
D.2.6	<p>Seek clarification</p> <p>Request clarification of the submission documents, if necessary, by notifying the employer at least five working days before the closing time stated in the submission data. -</p>
D.2.6.1	<p>The Respondent must request clarification in writing.</p>

D.2.7	Making a submission
D.2.7.1	<p>Return all returnable documents to the employer after completing them in their entirety, in writing legibly in non-erasable ink.</p> <p>The completed EOI documents must be deposited in the Tender Box, at the relevant ECDOE offices.</p>
D.2.7.2	Seal the original and each copy of the submission as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the submission data, as well as the respondent's name and contact address.
D.2.7.3	Accept that the employer shall not assume any responsibility for the misplacement or premature opening of the submission if the outer package is not sealed and marked as stated.
D.2.7.4	ECDoE will not accept telephonic, telegraphic, telex, facsimile or e-mailed submissions.
D.2.8	<p>Information and data to be completed in all respects</p> <p>Accept that incomplete submissions or responses submitted in a different form or format than specified in this EOI, shall be regarded by the employer as nonresponsive.</p>
D.2.9	<p>Closing time</p> <p>Ensure that the employer receives the submissions at the address specified in the submission data not later than the closing time stated in the submission data. Proof of posting shall not be accepted as proof of delivery. The employer shall not accept submissions submitted by telegraph, telex, facsimile or e-mail, unless stated otherwise in the submission data.</p> <p>Accept that, if the employer extends the closing time stated in the submission data for any reason, the requirements of these conditions for expressions of interest apply equally to the extended deadline.</p>
D.2.10	<p>Clarification of submission</p> <p>Provide clarification of a submission, in writing, in response to a request to do so by the employer during the evaluation of submissions, within 24 hours of submission of such a request.</p>
D.3	Employer's undertakings

<p>D.3.1</p>	<p>Respond to requests for clarification received in writing from the Respondent</p> <p>Respond to a request for clarification received up to seven working days before the submission closing time stated in the submission data.</p> <p>Notify all respondents who obtained copies of the EOI documents, if any, of those responses.</p>
<p>D.3.2</p>	<p>Issue Addenda</p> <p>If necessary, issue addenda that may amend or amplify the submission documents to each respondent during the period from the date of the calling for expressions of interest until seven days before the closing time for submissions stated in the submission data.</p> <p>If, as a result, a respondent applies for an extension to the closing time stated in the submission data, the employer may grant such extension and, shall then notify all respondents who obtained a copy of the EOI documents.</p>
<p>D.3.3</p>	<p>Late submissions</p> <p>Late submissions will not be accepted.</p>
<p>D.3.4</p>	<p>Opening of submissions</p>
<p>D.3.4.1</p>	<p>Submissions will be recorded and will not be opened in public.</p>
<p>D3.4.2</p>	<p>Make available the names of the respondents that made submissions prior to the closing time for submissions to all interested persons upon request.</p>
<p>D.3.5</p>	<p>Non-disclosure</p> <p>Not disclose to respondents, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of submissions until after the Bid Adjudication Committee approved the evaluation results.</p>
<p>D.3.6</p>	<p>Grounds for rejection and disqualification</p> <p>Determine whether there has been any effort by a respondent to influence the processing of submissions and instantly disqualify a respondent if it is established that he engaged in corrupt or fraudulent practices.</p>
<p>D.3.7</p>	<p>Test for responsiveness</p> <p>Determine, on opening and before detailed evaluation, whether each submission received:</p> <p>a) Meets the requirements of these conditions for the calling for expressions of interest.</p>

	<p>b) Has all the substantive provisions properly and fully completed and signed, and</p> <p>c) Is responsive to the other requirements of the call for expressions of interest.</p>
D.3.8	<p>Non-responsive submissions</p> <p>Reject all non-responsive submissions.</p>
D.3.9	<p>Evaluation of responsive submissions</p>
D.3.9.1	<p>Appoint an evaluation panel of not less than three persons. Evaluate submissions using evaluation criteria established in the submission data</p>
D.3.9.2	<p>Notify the respondents of the outcome of the evaluation process within two (2) weeks of the evaluation report being accepted by the employer</p>
D.3.10	<p>Provide written reasons for actions taken</p> <p>Provide upon request written reasons to respondents for any action that is taken in applying these conditions, but withhold information which is not in the public interest to be divulged, which is considered to prejudice the legitimate commercial interests of respondents or might prejudice fair competition between respondents.</p>

RETURNABLE DOCUMENTS

Please adhere to the following instructions

1. Tick in the relevant block below, to confirm that the relevant document is included in the submission.
2. Ensure each document listed is completed and signed where applicable.
3. Use the prescribed sequence in attaching the annexes that complete the bid proposal:

4.1 LIST OF RETURNABLE SCHEDULES

PLEASE NOTE: ALL these documents should be completed in full and included in the submission.

Description		Yes	No
Part 1 - Notice and invitation to submit an EOI			
One original EOI document			
Cover Page - Summary of respondents' information			
Part 2 - Terms of reference			
Part 3 - Submission procedures			
3.1 Submission data			
Part 4 - Returnable documents			
Annexure A	Valid Tax Clearance Certificate Requirement		
Annexure B	Compulsory Enterprise questionnaire		
Annexure C	SDB 4 – Bidders Disclosure		
Annexure D	Certified copy of B-BBEE status level certificate		
Annexure E	Certified copies of CIPC company registration documents listing all members with percentages, in case of a close corporation		
Annexure F	Certified copies of latest share certificates, in case of a company		
Annexure G	Record of Addenda		
Annexure H	Certificate of Authority for Joint Ventures		
Annexure I	Letter of Good Standing from the Compensation Fund		
Annexure J	CSD Registration Summary Report		
Annexure K	CIDB SO grading registration report		
Annexure L	Letter from the bank or audited financial statement		

Submission Schedule	Nominated Project Manager's Details and CV		
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Please Note:

The Respondent must submit these schedules as per the prescribed sequence and format outlined in this EOI document.

The Submission Schedule is required for evaluation and/or compliance purposes.

Please Note:

The Respondent must submit these schedules as per the prescribed sequence and format outlined in this EOI.

ANNEXURES

Annexure A: Valid Tax Clearance Certificate Requirement

Please Note:

The valid Tax Clearance Certificate or Application for a Tax Clearance Certificate (TCC 001) must be inserted in this section and submitted as Annexure A.

Annexure B: Compulsory Enterprise questionnaire

<p>The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.</p>		
<p>Section 1: Name of enterprise:</p>		
<p>Section 2: VAT registration number, if any:</p>		
<p>Section 3: CIDB registration number, if any:</p>		
<p>Section 4: Particulars of sole proprietors and partners in partnerships</p>		
<p>Name*</p>	<p>Identity number*</p>	<p>Personal income tax number*</p>
<p>* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners</p>		

Section 5: Particulars of companies and close corporations

Company registration number

Close corporation number

Tax reference number

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:

- a) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- b) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- c) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption.
- d) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- e) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct

Signed

Date

Name

Position

Enterprise
name

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

2.2

SBD4

Do you, or any

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

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.

2.2.1 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.

SBD4

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.

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.

- 3.5 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

Annexure D: Certified copy of B-BBEE status level certificate

Please Note:

Respondents who will claim points in respect of B-BBEE Status Level of Contribution, must attach a CERTIFIED COPY of the B-BBEE certificate, issued by a Verification Agency accredited by SANAS or an approved registered body or an Accounting Officer as contemplated in the CCA. DTI Affidavit certified by SAPS / Commissioner of Oaths.

Annexure E: Certified copies of CIPC company registration documents listing all members with percentages, in case of a close corporation

Please Note:

Respondents are required to include certified copies of all relevant CIPC registration documents. Each member with percentages, in the case of a close corporation must be listed.

Annexure F: Certified copies of latest share certificates, in case of a company

Please Note:

Respondents are required to attach certified copies of latest share certificates, in case of an entity with certified copies of members Identification Document.

Annexure G: Record of Addenda

We confirm that the following communications received from the Employer, amending the submission documents, have been taken into account in this submission.		
#	Date	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attach additional pages if more space is required.

Signed _____ Date _____

Name _____ Position _____

Enterprise name _____

Annexure H: Certificate of Authority for Joint Ventures

This document is to be prepared and submitted by the Respondent in the event of a Joint Venture submission.

This Returnable Schedule is to be completed by Enterprises who submit an EOI as joint ventures.

We, the undersigned, are submitting this EOI in Joint Venture and hereby authorise Mr/Ms , authorised signatory of the company , acting in the capacity of lead partner, to sign all documents in connection with submission on our behalf.

Name of Enterprise	Address	Duly authorised signatory
Lead partner 		Signature. Name Designation.....
.....		Signature. Name Designation.....
.....		Signature. Name Designation.....

Annexure I: Letter of Good Standing from the Compensation Fund

Please Note:

A letter from the Compensation Fund or licenced accredited body, confirming good standing with the Fund must be inserted in this section and submitted as Annexure K.

Annexure J: CSD Registration Summary Report

Annexure K: Proof of office/residence

Please Note:

Provide proof of residence or offices in the Eastern Cape Province where the service will be rendered.

Any of the following documents constitutes an example of proof of residence:

1. Utility bill
2. Lease agreement
3. Telephone landline statement

The document must be inserted in this section and submitted as Annexure M.

Annexure L: Letter from a Bank (Bank confirmation) or Reviewed/Audited Financial Statements

Please Note:

A letter from your Bank, with confirmation of an account with the bank or reviewed/ audited financial statements must be inserted in this section and submitted as Annexure N.

SUBMISSION SCHEDULES

Evaluators will evaluate the Submission Schedules and allocate scores for functionality based on the information provided in the submission schedules.

Registration Details and CV of Nominated Professional(s)/Project Manager/ Site Agent/ Foreman etc.

1. CV of Nominated Project Manager

Project Managers first names			
Project Managers surname			
Project Managers date of birth (yyyy-mm-dd, e.g. 1985-03-04)			
Project Managers Nationality			
Project Managers ID number or Passport number (Only Non-residents)			
Name of respondent (Enterprise / Consortium or JV)			
Full time employee		Part time employee	

Years at Enterprise			
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1.1. Education and/or Qualifications

Institution	From date (yyyy-mm-dd)	To Date (yyyy-mm-dd)	Qualification obtained (e.g. BSc Mechanical Engineering)

1.2. Registration with Professional Councils

Registered Professional (Yes / No / N/A)	Professional Council name	Professional Registration number	Years of experience after registration as a professional in the discipline.

1.3. Other Skills (e.g. computer literacy, etc.)

1.4. Complete Contact Details of References for Each of the above Projects

Full Name	Position	Company/ Organisation	Telephone no. (include country and area code)	Cell Phone no. (include country and code)

1.5. Declaration by the Nominated Project Managers in this CV

<p>I declare that the above information is accurate and can be supported by documents and references on request. I also declare that I will be available to work on projects should this Entity, Consortium or JV be appointed.</p>		
Name	Signature	Date

RECOMMENDATION BY THE BID SPECIFICATION COMMITTEE (EXPRESSION OF INTEREST FOR DESLUDGING/ EMPTYING AND CLEANING OF VIP TOILETS/SEPTIC TANKS)


COMMENTS:

RECOMMENDED / ~~NOT RECOMMENDED~~



CHAIRPERSON-BSC

04/11/2022
DATE



MEMBER- BSC

04/11/2022
DATE



MEMBER - BSC

04/11/2022
DATE

MEMBER - BSC

DATE

MEMBER - BSC

DATE

APPROVAL BY THE ACTING HEAD OF DEPARTMENT

COMMENTS:

APPROVED / ~~NOT APPROVED~~



M QWASE
ECDOE: ACTING HEAD OF DEPARTMENT

07 NOVEMBER 2022
DATE

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder:	Bid number: SCMU6-22/23-0011
Closing Time 11:00	Closing date: 6TH DECEMBER 2022

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
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- Required by:
- At:
- Brand and model
- Country of origin
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery
- Delivery basis

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

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

*Delete if not applicable

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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, 2011.

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 R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the 90/10 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION	20
Total points for Price and B-BBEE must not exceed	100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5 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

- 2.1.1 "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 "B-BBEE status level of contributor" means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 "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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 "comparative price" means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 "consortium or joint venture" 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;
- 2.8 "contract" means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 "EME" means any enterprise with an annual total revenue of R5 million or less .
- 2.10 "Firm price" means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 "functionality" means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 "non-firm prices" means all prices other than "firm" prices;
- 2.13 "person" includes a juristic person;
- 2.14 "rand value" means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 "sub-contract" means the primary contractor's assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 "total revenue" bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;

- 2.17 "trust" means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 "trustee" means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

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

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

80/20 or 90/10

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

Where

- P_s = Points scored for comparative price of bid under consideration
- P_t = Comparative price of bid under consideration
- P_{\min} = Comparative price of lowest acceptable bid

5. Points awarded for B-BBEE Status Level of Contribution

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted?%
- (ii) the name of the sub-contractor?
- (iii) the B-BBEE status level of the sub-contractor?
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm

9.2 VAT registration number :.....

9.3 Company registration number

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

9.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider

Other service providers, e.g. transporter, etc.
[TICK APPLICABLE BOX]

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

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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.

.....
SIGNATURE(S) OF BIDDER(S)

2.

DATE:.....
 ADDRESS:.....

