



AS IMPLEMENTING AGENT FOR THE EASTERN CAPE DEPARTMENT OF HUMAN SETTLEMENTS

TENDER

INVITATION FOR THE APPOINTMENT OF A DATABASE FOR HOUSING CONTRACTORS FOR THE DEPARTMENT OF HUMAN SETTLEMENTS TO UNDERTAKE VARIOUS HOUSING PROJECTS THROUGHOUT THE EASTERN CAPE PROVINCE FOR A PERIOD OF 3 YEARS

250407CE

Name of Company: _____

Bidder's CSD registration No.: _____

NHBRC BARCODE No./s: _____

Closing date and time: **xx April 2025** **11:00 AM**

Bid Validity Period: 90 days

ENQUIRIES:

SCM RELATED ENQUIRIES

Mr Philip Loots

Tel. No.: 012 8810 0210

Email Address: philip@gic.co.za

(Please note it is recommended to use email for any enquiries)

TECHNICAL ENQUIRES

Mr Barend Koen

Tel no: 012 881 0210

Email Address: barend@gic.co.za

(Please note it is recommended to use email for any enquiries)

**BID NOTICE
250407CE**

INVITATION FOR THE APPOINTMENT OF A DATABASE FOR HOUSING CONTRACTORS FOR THE DEPARTMENT OF HUMAN SETTLEMENTS TO UNDERTAKE VARIOUS HOUSING PROJECTS THROUGHOUT THE EASTERN CAPE PROVINCE FOR A PERIOD OF 3 YEARS

Tender documents will be available to be downloaded from the eTenders website. A link to register on the database via the implementing Agent's portal will be available via the Implementing Agent's Social Media Platforms and the Social Media platforms of the Department.

A non-compulsory virtual tender briefing meeting will be held on the **xx April 2025** at **10h00am** on **Microsoft Teams. (LINK)**

SUBMITTAL: Prospective bidders can follow the link to register on the Database electronically via the links from the Social Media advertisements or **(XXXXXXXXXXlink)** managed by the Implementing Agent.

Alternatively completed bid documents in a sealed envelope endorsed with the relevant bid number, bid description and closing date, must be deposited in the bid box not later than **11h00** on the **xx April 2025**.

Physical Address of Bid Box:

GAP Infrastructure Corporation (Pty) Ltd.
Acacia House,
Palms Square Business Park,
Bonza Bay Road
EAST LONDON
5201

Bidders must ensure that bids submitted via courier services are deposited by the courier service in the Tender box prior to the closing date. The Department and the Implementing Agent will not accept responsibility for bids not timeously deposited in the Tender Box.

A. BID EVALUATION

This bid will be evaluated in one (1) phase as follows:

Phase One: Administrative Compliance Assessment

B. BIDDERS SHALL TAKE NOTE OF THE FOLLOWING BID CONDITIONS

1. The minimum specifications, bid evaluation criteria, bid rules and special conditions of bid are detailed in the bid document.
2. The bid will be valid for a period of 90 days after the closing date.
3. The Bidders will not carry out any work prior to a direct instruction to proceed with work by the Implementing Agent.
4. The Database will be setup for CIDB Registered Contractors in the General Building (GB) category, class 1 – 9, who is active on CIDB at the time of tender closure.

C. TENDER SUBMISSIONS:

Bidders preferred to utilize submittal option 1 – Online submittal

- 1) Online submittal in the GIC portal ([link](#))
- 2) Hard copy bids must be submitted in sealed envelopes clearly marked “**250407CE INVITATION FOR THE APPOINTMENT OF A DATABASE FOR HOUSING CONTRACTORS FOR THE DEPARTMENT OF HUMAN SETTLEMENTS TO UNDERTAKE VARIOUS HOUSING PROJECTS THROUGHOUT THE EASTERN CAPE PROVINCE FOR A PERIOD OF 3 YEARS.**”

D. ENQUIRIES WITH REGARD TO THIS ADVERT MAY BE DIRECTED TO:

SCM RELATED ENQUIRIES

Mr Philip Loots

Tel. No.: 012 8810 0210

Email Address: philip@gic.co.za

(Please note it is recommended to use email for any enquiries)

TECHNICAL ENQUIRIES

Mr Ian Connellan

Tel no: 012 881 0210

Email Address: ian@gic.co.za

(Please note it is recommended to use email for any enquiries)

SBD 1
**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF PUBLIC WORK & INFRASTRUCTURE					
BID NUMBER:	250407CE	CLOSING DATE:	13 December 2024	CLOSING TIME:	11H00
DESCRIPTION	INVITATION FOR THE APPOINTMENT OF A DATABASE FOR HOUSING CONTRACTORS FOR THE DEPARTMENT OF HUMAN SETTLEMENTS TO UNDERTAKE VARIOUS HOUSING PROJECTS THROUGHOUT THE EASTERN CAPE PROVINCE FOR A PERIOD OF 3 YEARS				
BID RESPONSE DOCUMENTS MAY BE DONE ELECTRONICALLY OR DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
GAP Infrastructure Corporation (Pty) Ltd.; Acacia House; Palms Square Business Park; Bonza Bay Road; EAST LONDON ; 5201					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Philip Loots		CONTACT PERSON	Ian Connelan	
TELEPHONE NUMBER	012 881 0210		TELEPHONE NUMBER	012 88102010	
FACSIMILE NUMBER	n/a		FACSIMILE NUMBER	n/a	
E-MAIL ADDRESS	philip@gic.co.za		E-MAIL ADDRESS	ian@gic.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	☒ AAA ☐
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED? ☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]		
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			☐ YES ☐ NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			☐ YES ☐ NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			☐ YES ☐ NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			YES NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			YES NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 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 RECEIVE A LETTER OF APPOINTMENT TO THE PANEL, ONLY WHEN SUCCESSFUL ON TENDERING ON A PROJECT FROM THE PANEL WILL IT 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."
For ease of reference, Bidders shall enter their Price in the space provided below:	

- (1) Failure to complete the Bid required areas in the Tender Document and submit all compulsory documentation, the bidder will automatically be seen as a non-responsive bid.
- (2) Failure to sign this bid automatically invalidate the bid.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

TERMS OF REFERENCE/ SPECIFICATION

Eastern Cape Provincial Government Human Settlements



BID NUMBER: 250407CE

PROJECT DESCRIPTION

**INVITATION FOR THE APPOINTMENT OF A DATABASE FOR HOUSING CONTRACTORS FOR
THE DEPARTMENT OF HUMAN SETTLEMENTS TO UNDERTAKE VARIOUS HOUSING PROJECTS
THROUGHOUT THE EASTERN CAPE PROVINCE FOR A PERIOD OF 3 YEARS**

1. BACKGROUND

The Department of Human Settlements is committed to delivering infrastructure and construction opportunities through integrated, sustainable construction projects. To achieve this vision, The Department of Human Settlements through their appointed Implementing Agent (Gap Infrastructure Corporation (GIC)) aims to appoint a Panel of Housing Contractors (with an active status on CIDB in the General Building Category Class 1 - 9), to assist in delivering efficient and effective projects within the province.

The Department of Human Settlements Through Gap Infrastructure Corporation invites Professional Civil & Structural Engineers with experience in Housing / Structural projects to express their interest in the execution of such works. The scope of work shall cover the full spectrum of building Breaking New Ground (BNG) housing units and associated construction activities.

Since 1994, national priority projects have been used across sectors to reduce poverty in townships. The priority has been to increase the supply of public infrastructure at an accelerated pace and to develop sufficient infrastructure to close the gap between the existing infrastructure and the infrastructure that is needed. The Department of Human Settlements recognizes the critical role of the construction industry and project implementation, highlighting the importance of well-planned and executed priority projects to deliver infrastructure at an accelerated pace.

Balanced partnerships, effective contracting and governance, a clear empowerment and transformation pathway, and shared risk and proceeds among all parties are critical to project success.

2. THE OBJECTIVES AND PURPOSE OF THE REQUEST FOR PROPOSAL

- 2.1. The Eastern Cape Province is faced with significant infrastructure shortages, leading to inadequate living conditions, and a lack of access to essential services and social infrastructure for a substantial portion of the population. This situation has exacerbated social inequalities and adversely impacted on the overall socio-economic growth of the province.
- 2.2. The Department of Human Settlements is issuing this Tender to appoint a panel of suitably qualified Housing Contractors (CIDB GB 1 – 9) to facilitate the efficient and effective implementation of projects within the province. The appointed professionals will help bridge the gap in the implementation and roll out of projects in the province.
- 2.3. The primary purpose of appointing a panel or database of Contractors aims to reduce procurement lead times by minimizing advertisement time constraints and costs to more efficiently procure suitably experienced and qualified professionals from the database.

3. BIDDERS

- 3.1. The Bidders will be captured on the Database for a period of three (3) years.
- 3.2. On an annual basis, the Department and the Implementing Agent will open the database to be updated and allow additional companies to be added to the database.
- 3.3. Bidders will be required to ensure that they remain in good standing with regards to the requirements, membership and or affiliations which granted them access to be on the database i.e. Valid Tax Status; Professional Registration, BBBEE status, etc.
- 3.4. Bidders will be registered on the database in terms of their response to the requirements of this Tender.

4. REQUIREMENTS OF TENDER SUBMISSION

4.1. BUILDING CONTRACTORS

All Respondent's responding to the submission should be addressing the following (where applicable, the appropriate documents must be attached):

- 4.1.1 **Cover Letter:** A professional cover letter that introduces the Tendering firm and highlights its interest in Tender.
- 4.1.2 **Company Profile:** A detailed and professionally prepared company profile is to be prepared and submitted. The document will highlight the company's background, mission and vision, the current structure of the company, affiliations and bodies of registration and memberships. It should also provide insight into the kind of business the company is focused in and provide detail into the client base, completed referenceable projects etc.
- 4.1.3 **Locality of the Construction Company:** This will be verified with the addresses provided on CSD.
- 4.1.4 **Contractor's returnable documents:** The Contractor must provide the following documents as part of the submission:
 - 4.1.6.1 CSD Registration (full report)
 - 4.1.6.2 Company Registration Documents (CIPC)
 - 4.1.6.3 COIDA Certificate
 - 4.1.6.4 BBB-EE Certificate
 - 4.1.6.5 Bank Confirmation letter (not older than 3 months)
 - 4.1.6.6 Company Profile
 - 4.1.6.7 CIDB Certificate (Active in the GB Class)

5. SCOPE OF WORKS

Specific projects will be identified and specific bid documents prepared as determined by the Department and their approved monetary business plan. Successful bidders from the database will be elected to submit prices for the projects.

It should be kept in-mind that there are 8 Districts in the province and as projects will be rolled out throughout these districts.

It will be required that the successful contractors spend a minimum of 30% of the awarded monetary award towards local vendors; contractors and/or suppliers.

6. COST OF TENDER

Unless otherwise stated in the Tender, the Employer will not compensate the Respondent for any costs incurred in the preparation and submission of a proposal, including the costs of any testing necessary to demonstrate those aspects of the proposal which comply with requirements.

7. ECONOMIC EMPOWERMENT AND LOCAL BENEFICIATION

7.1. In line with the State's goals to promote economic empowerment of previously and currently disadvantaged populations, the Respondent is similarly required to promote economic empowerment, primarily within the locality of the development, and through the legitimate inclusion of disadvantaged groups in all aspects of planning, delivery and ownership.

7.1.1 Black Economic Empowerment

The Respondent shall commit to and ensure that:

- (a) A minimum of 30% of the shareholding in the entity proposed to plan, execute and develop the project is held by black persons (black persons as defined in Broad- Based Black Economic Empowerment Amendment Act 2013 (Act No 46 of 2013)), and that such minimum level of ownership by the black persons is maintained throughout the project's lifecycle.
- (b) A minimum of 30% of the value of the project shall be procured from black persons or other legal entities owned in majority by black persons (to the extent that the 30% of value is achieved), and that such procurement shall be distributed reasonably across construction material suppliers, subcontractors, laborer's, etc., so appointed or procured from, and shall be maintained throughout the project's lifecycle.

7.2 Local Beneficiation

The Respondent shall commit to and ensure that:

Wherever practically possible all goods, services and labour are procured from entities based on the following criteria: in the demarcated wards in which the development is taking place, failing which the local municipality, then district or metropolitan municipality, then province or nationally.

8. ASSESSMENT AND EVALUATION PROCESS

The bids received will be evaluated in one stage 1) Administrative Evaluation.

All required returnable documents as set out in paragraph 4 of this document will be screened for compliance, should any of the required returnable not be found, or found not to be valid, the bid will fail the Administrative Compliance criteria.

Each Proposal will undergo an intensive assessment and evaluation process by the Implementing Agent, which will consist of the one (1) stage, namely:

8.1 Administrative Compliance Assessment

The Administrative Compliance stage of assessment includes, or requires that:

- 8.1.1 Administrative Compliance Check that assesses whether all the submitted proposals have observed all the rules and protocols set out in this Tender.
- 8.1.2 Has the respondent submitted all documents as outlined in the requirements of the Tender.
- 8.1.3 Eligibility Compliance Check which assesses whether the respondent has passed the minimum requirements as set out in this Tender.

Should the Respondent not meet the minimum requirements reviewed as part of the Administrative Checks as set out in paragraph 4 of this Tender, then such Respondent shall be disqualified from the Tender process and no further evaluation shall take place.

9. DURATION

This database is earmarked to be in place for a period of **36 months**. The database will be opened every year to allow new bidders to be added to the database. However, it is the responsibility of all bidders whom was accepted to be on the database to ensure that their details remain relevant and up to date.

Every project awarded as a result of the database and procured from the database will have its own specific budget linked to the Department's approved Monetary Business plan and will have a specific project linked duration.

10. OBLIGATION TO AWARD THE TENDER

The Employer reserves the right to reject any or all bids, in whole or in part, and is not obligated to award the contract to any bidder. The decision to accept or reject any bid will be at the sole discretion of the Employer, who may consider various factors, including but not limited to, the bidder's qualifications, experience, financial stability, and the overall value and suitability of the bid in relation to the project requirements. The Employer also reserves the right to negotiate with the selected bidder to achieve mutually agreeable terms before finalizing the award of the contract.

The Employer reserves the right to cancel the bidding process at any stage without incurring any liability to the bidders.

By submitting a bid, the bidder acknowledges and agrees that the Employer's decision in this regard is final and binding.

11. CONDITIONS OF CONTRACT

11.1 Variations, amendments and additions to the Conditions of Contract as Special Conditions of Contract prescribed by the Employer will be determined for every sub-project. Each of the Special Conditions of Contract shall be cross-referenced to the clause in the General Conditions of Contract to which it mainly applies.

11.2 The following referenced Engineering and Construction Works Contract may be applicable depending on the nature of the project identified under this Appointment:

11.2.1 Service Level Agreements by The Department of Human Settlements.

11.2.2 General Conditions of Contract for Construction Works (GCC).

11.2.3 Conditions of Contract for Construction, Conditions of Contract for Plant and Design-Build, Conditions of Contract for FIDIC EPC/ Projects, Conditions of Contract for Design, Build and Operate Projects or Short Form of Contract.

11.2.4 JBCC series 2000 Principal Building Agreement or Minor Works Agreement.

11.2.5 NEC Engineering and Construction Short Contract or NEC Engineering and Construction Contract; or

- 11.3** The standard industry forms of contract shall be used with minimal project-specific variations and additions which do not change their intended usage.
- 11.4** The project involves the implementation of public sector infrastructure projects in the Eastern Cape Province. The Department of Human Settlements has identified projects which are part of their project pipeline. The Implementing Agent will execute these identified projects in accordance with the conditions of this contract.
- 11.5** The Implementing Agent shall determine the total cost of the project for the full execution of the project as specified in "Scope of Works." The Implementing Agent will be entitled to a fixed fee as outlined in Price Offered which will be added to the total cost of the project.
- 11.6** The Project Cost shall be determined by the Implementing Agent for each individual project and presented to the Employer for the approval of such project cost before the Implementing Agent can proceed with the execution thereof.
- 11.7** Payment of works completed shall be certified in accordance with the applicable conditions of the contract for each project and shall be effected by the Employer to the Implementing Agent in accordance with the provisions of the Contract. The Implementing Agent will subsequently make payment to the identified Service Providers responsible for the execution of the works.
- 11.8** The implementation of this Proposal and the execution of the identified projects shall be for a period of 36 months. The agreement will commence upon the date of signing of the Service Level Agreement (SLA) between the Implementing Agent and the Tenderer and will be for a period of 36 months. All project specific Service Level Agreements (SLA) signed during this period shall remain active until the completion date as specified in the project-specific Service Level Agreement (SLA).
- 11.9** The execution of this Proposal may be extended by mutual agreement between the parties, which agreement shall be binding only if and when reduced to writing and agreed to by the parties.
- 11.10** In line with the State's goals to promote economic empowerment of previously and currently disadvantaged populations, the Principal Agent is required to promote economic empowerment, primarily within the locality of the development, and through the legitimate inclusion of disadvantaged groups in all aspects of planning, delivery and ownership.

11.11 The Implementing Agent shall commit to and ensure that:

11.11.1 Black Economic Empowerment

- (b) A minimum of 30% of the shareholding in the entity proposed to plan, execute and develop the project is held by black persons (black persons as defined in Broad-Based Black Economic Empowerment Amendment Act 2013 (Act No 46 of 2013)), and that such minimum level of ownership by the black persons is maintained throughout the project's lifecycle.
- (c) A minimum of 30% of the value of the project shall be procured from black persons or other legal entities owned in majority by black persons (to the extent that the 30% of value is achieved), and that such procurement shall be distributed reasonably across built environment professionals, consultants, construction material suppliers, subcontractors, labourer's, etc., so appointed or procured from, and shall be maintained throughout the project's lifecycle.

11.11.2 Local Beneficiation

Wherever practically possible the Principal Agent shall procure goods, services and labour from entities based in the demarcated wards in which the development is taking place, failing which the local municipality, then district or metropolitan municipality, then province or nationally.

12. BID VALIDITY

This bid will be valid for ninety (90) days after the closing date.

13. SUBMISSION OF BID PROPOSALS

13.1 Bid proposals must be submitted on the Implementing Agent's online portal or be deposited in a Bid Box situated at

GAP Infrastructure Corporation (Pty) Ltd.
Acacia House,
Palms Square Business Park,
Bonza Bay Road
EAST LONDON
5201

13.2 It is the responsibility of the bidder and that of the courier in case of couriered bids to ensure that the bid is deposited in the bid box and not submitted to officials. The Implementing Agent will not take any responsibility for bids not deposited in the bid box.

13.3 Bid proposals must be submitted in one (1) envelope clearly marked with bidder's name and as follows:

250407CE - INVITATION FOR THE APPOINTMENT OF A DATABASE FOR HOUSING CONTRACTORS FOR THE DEPARTMENT OF HUMAN SETTLEMENTS TO UNDERTAKE VARIOUS HOUSING PROJECTS THROUGHOUT THE EASTERN CAPE PROVINCE FOR A PERIOD OF 3 YEARS

14. CLOSING DATE

All bid proposals in response to this bid should reach the Online Submission portal or the Implementing Agent's Tender box not later than the **xx April 2025 at 11H00**. Bids received after 11H00 will not be accepted and considered.

15. CONTACT DETAILS ON TERMS OF REFERENCE

All technical enquiries regarding this bid may be directed to ian@gic.co.za

All Supply Chain Management related enquiries regarding this bid may be directed to: philipj@gic.co.za

16. RETURNABLE DOCUMENTS

16.1 Compulsory Commercial Documents

Compulsory Commercial Documents shall be submitted by the bidders. If any of the below documentation is not supplied will lead to the immediate disqualification of the bidder.

The following compulsory documents are required to be submitted :

Description of Compulsory Returnable Documents		Yes / No
A1	SBD 1 Invitation to Bid (page 4 and 5 of this document)	
A2	SBD 4 Bidder's Disclosure (page 16 & 17 of this document)	
A3	SBD 6.1 Preferential Points (page 18 to of this document)	
A4	CSD Full report	
A5	Company Registration Documents (CIPC)	
A6	COIDA or Letter of good standing with the Department of Labour	
A7	BBB-EE Certificate	
A8	Bank Confirmation Letter (no older than 30 days)	
A9	Company Profile	
A10	CIDB Certificate (Valid at the time of tender closure)	

SBD 4

16.2 A2: SBD 4: Bidder's Disclosure

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

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.

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.
- 3.5 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.
- 3.6 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.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

SBD 6.1

16.3 A3: SBD 6.1: Preferential Points

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.*

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, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender)

- The applicable preference point system for this tender is the 90/10 preference point system.
- The lowest 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 bid are allocated as follows:

	POINTS	
PRICE	80	90
SPECIFIC GOALS	20	10
Total points for Price and Specific Goals	100	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.

“price” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

(b) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

(c) **“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

(d) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULA 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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) & \text{or} & Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)
 \end{array}$$

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{min} = Price of lowest acceptable tender

3.2. FORMULA 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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) & \text{or} & Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)
 \end{array}$$

Where

Ps = Points scored for price of tender under consideration
 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.

(Note to organs of state: Where either the 90/10 or 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 of points allocated (80/20 system) (To be completed by the organ of state)	Number of points allocated (90/10 system) (To be completed by the organ of state)
Woman Owned Organizations: -		
(a) > than 51% Woman Ownership on CIPC	8	4
Youth Owned Organizations: -		
(a) > than 51% Youth Ownership on CIPC	4	2
Disabled Owned Organizations: -		
(a) > than 51% Disabled Ownership on CIPC	2	1
Military Veteran Owned Organizations: -		
(a) > than 51% Military veteran Ownership on CIPC	1	1
Bidders Locality: within the Eastern Cape: -		
Bidders has an operational office in the Eastern Cape	5	2

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
- ☐ Personal 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 favorable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

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

16.4 A4 : Central Supplier Database

Attached hereto is my / our Central Supplier Database report.

IMPORTANT NOTES:

1. A full report of the CSD report is required showing all the company details such as, address, Tax Compliance, banking details etc.

16.5 A5 Firm's Copy Of Registration Of Incorporation Or Company Registration Documents

Attached hereto is my / our original certified copies of company registration of incorporation or company registration documents. My failure to submit the copy with my / our bid document will lead to the conclusion that I am / we are not registered as claimed and our bid will be disqualified

(Attach the Firm's Copy of Registration of Incorporation or Company Registration Documents Here)

DRAFT PREPARED BY GIC

16.6 A6 : Copy Of A Letter Of Good standing With Compensation For Occupational And Injuries Disease Act (COIDA) Registration Certificate

Attached hereto is my / our certified copy of LETTER of good standing with the Compensation for Occupational Injuries and Diseases, e.g. letter of good standing. My / our failure to submit the certificate with your bid offer will lead to the conclusion that your entity/ company is not registered, and therefore, the bid will be disqualified.

DRAFT PREPARED BY GIC

16.7 A7 : Broad-Based Black Economic Empowerment

Attached hereto is my / our certified copy of the BBBEE Certificate. My / our failure to submit the certificate with your bid offer will lead to the conclusion that your entity/ company is not registered, and therefore, the bid will be disqualified.

DRAFT PREPARED BY GIC

16.8 A8 : Bank Confirmation Letter

Attached hereto is my / our copy of Bank Confirmation Letter. My / our failure to submit the certificate with my/our bid offer will lead to the conclusion that your entity/ company is does not conform to this requirement, and therefore, the bid will be disqualified.

DRAFT PREPARED BY GIC

16.9 A9 : Company Profile

Attached hereto is my / our Company profile. My / our failure to submit the document with your bid offer will lead to the conclusion that my/our entity/ company does not conform to the minimum requirements, and therefore, the bid will be disqualified.

DRAFT PREPARED BY GIC

16.10 A10 : CIDB CERTIFICATE

Attached hereto is a Copy of the Valid and Active CIDB Certificate. Failure to submit the foresaid documentation will lead to disqualification.

[Copy of the Professional Registration to be inserted here]

DRAFT PREPARED BY GIC