

SCM APPENDIX 1  
(Supplier to complete & return.  
Failure to complete, offer will be invalid)

**INVITATION TO QUOTE**

YOU ARE HEREBY INVITED TO QUOTE FOR REQUIREMENTS OF THE DEPARTMENT OF TRANSPORT					
<b>QUOTATION NUMBER:</b>	ZNQ 0446/19T	<b>CLOSING DATE:</b>	5 November 2019	<b>CLOSING TIME:</b>	11h00
<b>DESCRIPTION</b>	ENVIRONMENTAL ASSESSMENT AND AUTHORIZATION FOR THE UPGRADE OF DISTRICT ROAD D954				
<b>QUOTATION RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
Main Entrance Foyer 172 Burger Street Pietermaritzburg 3201 Mon to Fri: 07:30 until 16:00			<b>Email: <a href="mailto:tenders@kzntransport.gov.za">tenders@kzntransport.gov.za</a></b> Under no circumstances must suppliers submit their quotation offers/responses to the official whose name appear on the enquiries.		
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
<b>CONTACT PERSON</b>	Busisiwe Sithole		<b>CONTACT PERSON</b>	MILTON SITHOLE	
<b>TELEPHONE NUMBER</b>	033 355 0664		<b>TELEPHONE NUMBER</b>	033 355 0544	
<b>FACSIMILE NUMBER</b>			<b>FACSIMILE NUMBER</b>		
<b>E-MAIL ADDRESS</b>	Busisiwe.sithole@kzntransport.gov.za		<b>E-MAIL ADDRESS</b>	<a href="mailto:Milton.Sithole@kzntransport.gov.za">Milton.Sithole@kzntransport.gov.za</a>	
<b>SUPPLIER INFORMATION</b>					
<b>NAME OF BIDDER</b>					
<b>POSTAL ADDRESS</b>					
<b>STREET ADDRESS</b>					
<b>TELEPHONE NUMBER</b>	<b>CODE</b>		<b>NUMBER</b>		
<b>CELLPHONE NUMBER</b>					
<b>FACSIMILE NUMBER</b>	<b>CODE</b>		<b>NUMBER</b>		
<b>E-MAIL ADDRESS</b>					
<b>VAT REGISTRATION NUMBER</b>					
<b>SUPPLIER COMPLIANCE STATUS</b>	TAX COMPLIANCE SYSTEM PIN:		<b>OR</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
<b>B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE</b>	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
<b>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		<b>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3 ]	
<b>B3: QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> 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.					



SCM APPENDIX 2  
(Supplier to complete & return.  
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**TERMS AND CONDITIONS FOR QUOTING**

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. 1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b> 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT. 1.4. IF THE BID WAS INVITED THROUGH A CLOSE QUOTATION PROCESS; WHERE SUPPLIERS WERE SOURCED FROM CSD USING THE COMMODITY PROCESS; SUPPLIERS WHO WERE NOT INVITED WILL NOT BE CONSIDERED. 1.5. THE DOCUMENTS MUST BE FILLED WITH ELIGIBLE INK (BLACK). 1.6. USE OF OMISSION IN THE DOCUMENT IS PROHIBITED. 1.7. THE BIDDER MUST INITIAL EACH AND EVERY PAGE IN THE BID DOCUMENT. 1.8. FAILING TO COMPLY WITH THE ABOVE REQUIREMENTS WILL RESULT IN THE BID BEING NON RESPONSIVE.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
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 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.”
<b>3. COMPLIANCE AND RETURNABLES: THE FOLLOWING RETURNABLE DOCUMENTS MUST RETURNED WITH THE QUOTATION DOCUMENT</b>
3.1 SCM APPENDIX 1 INVITATION TO QUOTE (SBD1 PART A) 3.2 SCM APPENDIX 2 – TERMS AND CONDITIONS FOR BIDDING (SBD1 PART B) 3.3 SCM APPENDIX 3 – OFFICIAL BRIEFING SESSION/SITE INSPECTION CERTIFICATE 3.4 SCM APPENDIX 4 - PRICE INFORMATION PAGE (MUST BE SIGNED OR THE BID IS INVALID) 3.5 SBD 4 - DECLARATION OF INTEREST FORM 3.6 SBD 6.1 - PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017; 3.7 SBD 6.2 – DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT TOGETHER WITH ANNEXURE C (COMPLETED IF APPLICABLE) 3.8 SBD 8 - DECLARATION OF SUPPLIERS PAST PERFORMANCE FORM 3.9 SBD 9 - CERTIFICATE OF INDEPENDENT BID DETERMINATION.

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

SIGNATURE OF BIDDER: \_\_\_\_\_

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

DATE: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

**OFFICIAL BRIEFING SESSION/SITE INSPECTION CERTIFICATE**

N. B.: THIS FORM IS ONLY TO BE COMPLETED WHEN APPLICABLE TO THE BID.

Site/Building/Institution Involved: Department Of Transport

ZNQ No: 0446/19T

Service: Environmental Assessment and Authorization for the upgrade of D954

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This is to certify that (name) \_\_\_\_\_

On behalf of \_\_\_\_\_

Visited and inspected the site on \_\_\_/\_\_\_/\_\_\_\_\_ (date) and is therefore familiar with the circumstances and the scope of the service to be rendered.

\_\_\_\_\_  
**Signature of Bidder or Authorized Representative**  
(PRINT NAME)

**DATE:** \_\_\_/\_\_\_/\_\_\_\_\_

\_\_\_\_\_  
**Name of Departmental Representative**  
(PRINT NAME)

<b>Departmental Stamp With Signature</b>

(Supplier to complete &amp; return. Failure to complete, offer will be invalid)

QUOTATION REF. NO.:	ZNQ0446/19T
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## Environmental Assessment

Item No	Task Name Description	Duration to complete work (days)	Rates per hour	Amount (R)
<b>Phase 1 – Screening Process</b>				
1	Screening Process and Mini Screening Report confirming required authorizations and licenses with relevant authorities			
<b>Phase 2 - Basic Assessment Process and Water Use Authorization</b>				
2	Conduct pre-app meeting and public participation process as per requirements of NEMA EIA Regs, inclusive of advertising, meetings, notification of I and Aps, opening maintaining registers etc.			
3	Compile the basic assessment report inclusive of a site-specific environmental management plan.			
4	Submit draft reports to I and Aps and authorities and obtain comment for inclusion in final BAR.			
5	Complete and submit the application form to KZN EDTEA.			
6	Submit final basic assessment report to KZN EDTEA.			
7	Follow up and obtain Environmental Authorization.			
8	Notify in writing within the statutory period all registered I & APS of the outcome of the application and appeal process.			
9	Water Use License Process (GA).			
10	Borrow Pits – <b>Allow for 2 borrow</b> pits that assumedly will require environmental authorization due to the clearance of more than 1ha of indigenous vegetation. This will include the relevant EMPs etc.			
<b>Specialist Studies</b>				
11	Heritage Assessment			
12	Aquatic Assessment			
13	Wetland Assessment			
<b>See specification attached on page 27-30</b>				
		<b>Sub-total</b>		
		<b>(If a VAT Vendor provide proof of VAT Registration) @ 15%</b>		
		<b>TOTAL</b>		
		<b>Delivery period after order issued</b>		
AMOUNT IN WORDS				
VALIDITY PERIOD OF OFFER (in months)		60 days (2 Months)		

Signature: \_\_\_\_\_

Date: \_\_\_/\_\_\_/\_\_\_\_\_

**Supplier Business Stamp**

IF APPLICABLE DID THE SUPPLIER ATTEND THE COMPULSORY SITE INSPECTION/BRIEFING SESSION/? **YES/NO/NA**

*I (full name) \_\_\_\_\_, in my capacity as \_\_\_\_\_, the duly authorized representative of \_\_\_\_\_ (business name) hereby declares that the offer is in accordance with the attached specification, notes to suppliers & accepts all conditions/clauses contained in the said documents.*

Signature of duly authorised representative

Date: \_\_\_\_\_

***NB: failure to sign this price page will invalidate the bid.***

**Every question must be answered individually on this form, whether a relationship is present or not: Failure to do so will invalidate your tender/bid**

**SBD 4**

**DECLARATION OF INTEREST**

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

**2. In order to give effect to the above, the following questions must be completed and submitted with the bid.**

2.1. The names of all directors / trustees / shareholders<sup>2</sup> / members/individuals, their individual identity numbers, tax reference numbers to inserted in the table below. If applicable, employee / PERSAL numbers must be indicated in the last column.

Full Name	Position held (shareholder, director, trustee, member, individual etc.)	Identity Number	Personal Income Tax Reference Number	State Employee Number / PERSAL Number

*If space provided is insufficient, details as specified above can be attached, however, this must be clearly indicated in this table*

2.2.	Full names of bidder or his or her representative: .....									
2.3.	Identity Number: .....									
2.4.	Position occupied in the Company (Director, trustee, shareholder, member) .....									
2.5.	Registration number of company, enterprise, close corporation, partnership, agreement or trust .....									
2.6.	Tax reference number: .....									
2.7.	VAT Registration number: .....									
2.8.	<table border="1"> <tr> <td>Are you or any person connected with the bidder presently employed by the state? <b>Kindly mark the applicable answer with a tick v.</b></td> <td><b>YES</b></td> <td><input type="checkbox"/></td> </tr> <tr> <td></td> <td><b>NO</b></td> <td><input type="checkbox"/></td> </tr> <tr> <td colspan="3">If so, furnish the following particulars:</td> </tr> </table>	Are you or any person connected with the bidder presently employed by the state? <b>Kindly mark the applicable answer with a tick v.</b>	<b>YES</b>	<input type="checkbox"/>		<b>NO</b>	<input type="checkbox"/>	If so, furnish the following particulars:		
Are you or any person connected with the bidder presently employed by the state? <b>Kindly mark the applicable answer with a tick v.</b>	<b>YES</b>	<input type="checkbox"/>								
	<b>NO</b>	<input type="checkbox"/>								
If so, furnish the following particulars:										
2.8.1.	Name of person/director/trustee/shareholder/member: .....									
2.8.2.	Name of state institution at which you or the person connected to the bidder is employed: .....									
2.8.3.	Position occupied in the state institution: .....									
2.8.4.	Any other particulars: ..... ..... .....									



2.9.	If you or any person connected with the bidder are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? <b>Kindly mark the applicable answer with a tick v.</b>	YES	<input type="checkbox"/>
		NO	<input type="checkbox"/>
		N/A	<input type="checkbox"/>
2.9.1.	If yes, did you attach proof of such authority to the bid document? (Note: failure to submit proof of such authority, where applicable, may arise in the disqualification of the bid. <b>Kindly mark the applicable answer with a tick v.</b>	YES	<input type="checkbox"/>
		NO	<input type="checkbox"/>
		N/A	<input type="checkbox"/>
2.9.2.	If no, furnish reasons for non-submission of such proof: ..... ..... .....		
2.10.	Did you or your spouse, or any of the company's directors/ trustees/ members of their spouses conduct business with the state in the previous twelve months? <b>Kindly mark the applicable answer with a tick v.</b>	YES	<input type="checkbox"/>
		NO	<input type="checkbox"/>
2.10.1	If yes, furnish particulars: ..... ..... .....		
2.11.	Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation or adjudication of the bid? <b>Kindly mark the applicable answer with a tick v.</b>	YES	<input type="checkbox"/>
		NO	<input type="checkbox"/>
2.11.1	If yes, furnish particulars: ..... ..... .....		
2.12.	Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? <b>Kindly mark the applicable answer with a tick v.</b>	YES	<input type="checkbox"/>
		NO	<input type="checkbox"/>
2.12.1	If yes furnish particulars. ..... ..... .....		

2.13.	Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? <b>Kindly mark the applicable answer with a tick v.</b>	YES	
	NO		
2.13.1	If yes, furnish particulars. ..... ..... .....		
2.13.2	Have you or any of the directors / trustees / shareholders / members of the company or the company in general provided any gifts, rewards, awards, sponsorships, donations or hospitality to the department or any of its employees or their family in the last 12 months? <b>Kindly mark the applicable answer with a tick v.</b>	YES	
	NO		
2.13.3	If yes, furnish particulars, including estimated value. ..... ..... .....		
3.	<p><b>DECLARATION</b></p> <p><b>I, THE UNDERSIGNED</b></p> <p><b>(NAME)</b> _____</p> <p><b>CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 AND 3 ABOVE IS CORRECT, AND I HAVE TAKEN REASONABLE DILIGENT STEPS (AS REQUIRED BY S76 OF THE COMPANIES ACT, 2011, WHERE APPLICABLE), TO ENSURE THAT THE INFORMATION PROVIDED IS CORRECT.</b></p> <p><b>I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.</b></p> <p><b>NAME OF BIDDER:</b> _____</p> <p><b>POSITION:</b> _____</p> <p><b>SIGNATURE:</b> _____</p> <p><b>DATE:</b> _____</p>		

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

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

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

**1. GENERAL CONDITIONS**

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

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

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	<b>20</b>
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

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

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

## 2. DEFINITIONS

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

## 3. POINTS AWARDED FOR PRICE

### 3.1 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 price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

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

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

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

**4.2. EME'S AND QSE'S MUST COMPLETE THE FOLLOWING APPLICABLE AFFIDAVIT FORM TO CLAIM PREFERENCE POINTS**

**SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE**

I, the undersigned,

<b>Full name &amp; Surname</b>	
<b>Identity number</b>	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

<b>Enterprise Name</b>	
<b>Trading Name (If Applicable):</b>	
<b>Registration Number</b>	
<b>Enterprise Physical Address:</b>	
<b>Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):</b>	
<b>Nature of Business:</b>	
<b>Definition of "Black People"</b>	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians –</p> <ul style="list-style-type: none"> <li>(a) who are citizens of the Republic of South Africa by birth or descent; or</li> <li>(b) who became citizens of the Republic of South Africa by naturalisation- <ul style="list-style-type: none"> <li>I. before 27 April 1994; or</li> <li>II. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"</li> </ul> </li> </ul>
<b>Definition of "Black Designated Groups"</b>	<p>"Black Designated Groups means:</p> <ul style="list-style-type: none"> <li>(a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</li> <li>(b) Black people who are youth as defined in the National Youth Commission Act of 1996;</li> <li>(c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;</li> <li>(d) Black people living in rural and under developed areas;</li> <li>(e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"</li> </ul>

3. I hereby declare under Oath that:

- The Enterprise is \_\_\_\_\_% Black Owned as per Amended Code Series 100 of the amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as amended by Act No 46 of 2013,
- The Enterprise is \_\_\_\_\_% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is \_\_\_\_\_% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
  - Black Youth % = \_\_\_\_\_%
  - Black Disabled % = \_\_\_\_\_%
  - Black Unemployed % = \_\_\_\_\_%
  - Black People living in Rural areas % = \_\_\_\_\_%
  - Black Military Veterans % = \_\_\_\_\_%
- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of \_\_\_\_\_, the annual Total Revenue was R10,000,000.00 (Ten Million Rands) or less
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	<b>Level One</b> (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	<b>Level Two</b> (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	<b>Level Four</b> (100% B-BBEE procurement recognition level)	

- 4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise, which I represent in this matter.
- 5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_\_

**Stamp**

\_\_\_\_\_  
**Signature of Commissioner of Oaths**

**SWORN AFFIDAVIT – B-BBEE QUALIFYING SMALL ENTERPRISE**

I, the undersigned,

<b>Full name &amp; Surname</b>	
<b>Identity number</b>	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

<b>Enterprise Name</b>	
<b>Trading Name (If Applicable):</b>	
<b>Registration Number</b>	
<b>Enterprise Physical Address:</b>	
<b>Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):</b>	
<b>Nature of Business:</b>	
<b>Definition of "Black People"</b>	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians –</p> <p>(c) who are citizens of the Republic of South Africa by birth or descent; or</p> <p>(d) who became citizens of the Republic of South Africa by naturalisation-</p> <p>III. before 27 April 1994; or</p> <p>IV. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"</p>
<b>Definition of "Black Designated Groups"</b>	<p>"Black Designated Groups means:</p> <p>(f) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</p> <p>(g) Black people who are youth as defined in the National Youth Commission Act of 1996;</p> <p>(h) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;</p> <p>(i) Black people living in rural and under developed areas;</p> <p>(j) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"</p>



3. I hereby declare under Oath that:

- The Enterprise is \_\_\_\_\_% Black Owned as per Amended Code Series 100 of the amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as amended by Act No 46 of 2013,
- The Enterprise is \_\_\_\_\_% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is \_\_\_\_\_% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
  - Black Youth % = \_\_\_\_\_%
  - Black Disabled % = \_\_\_\_\_%
  - Black Unemployed % = \_\_\_\_\_%
  - Black People living in Rural areas % = \_\_\_\_\_%
  - Black Military Veterans % = \_\_\_\_\_%
- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of \_\_\_\_\_, the annual Total Revenue was between R10,000,000.00 (Ten Million Rands) and R50,000,000.00 (Fifty Million Rands),
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	<b>Level One</b> (135% B-BBEE procurement recognition level)	
At Least 51% black owned	<b>Level Two</b> (125% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise, which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_\_

**Stamp**

\_\_\_\_\_  
**Signature of Commissioner of Oaths**

**5. BID DECLARATION**

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

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

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

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

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

*(Tick applicable box)*

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

7.1.1 If yes, indicate:

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

*(Tick applicable box)*

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

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

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

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

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

..... SIGNATURE(S) OF BIDDERS(S)
DATE: .....
ADDRESS .....
.....
.....

## DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

### 1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

- x is the imported content in Rand
- y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

**The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.**

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

**2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

**3. Does any portion of the goods or services offered have any imported content? (Tick applicable box)**

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

3..1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on [www.resbank.co.za](http://www.resbank.co.za)

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

<b>Currency</b>	<b>Rates of exchange</b>
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

**4.** Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

**LOCAL CONTENT DECLARATION**  
**(REFER TO ANNEX B OF SATS 1286:2011)**

<p><b>LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)</b></p>	
<p><b>IN RESPECT OF BID NO. ....</b></p>	
<p><b>ISSUED BY: (Procurement Authority / Name of Institution):</b> .....</p>	
<p><b>NB</b></p>	
1	<p>The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.</p>

- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on [http://www.thedti.gov.za/industrial\\_development/ip.jsp](http://www.thedti.gov.za/industrial_development/ip.jsp). Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, ..... (full names),  
do hereby declare, in my capacity as .....  
of .....(name of bidder entity),  
the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
  - (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 2 above)	
Local content %, as calculated in terms of SATS 1286:2011	

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_

### DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? <b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

**CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME).....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

Js365bW



**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

- 6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
- 7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
- 8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

Js914w 2

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

## **REQUEST FOR PROPOSALS- ENVIRONMENTAL ASSESSMENT AND AUTHORIZATION FOR A ROAD UPGRADE PROJECT FOR THE UPGRADE OF DISTRICT ROAD 954 KM 1+654 TO KM 3+170, R102 TO TURTON STATION.**

The KwaZulu-Natal Department of Transport (KZN DOT) hereby invites Environmental Assessment Practitioners (EAP), with the relevant skills and qualifications, registered with EAPSA and with a minimum of 5 years' experience, to submit proposals to KZN DOT for providing environmental consultancy services in respect of the Environmental Authorizations and Water Use License required for the proposed upgrade of District Road 954 mentioned above.

The environmental components for this upgrade project have been divided into three phases:

- Phase 1: Project screening to confirm with competent environmental authority for scope of works required for the environmental authorizations and water use license.
- Phase 2: Appointment of service provider to perform the recommended works for environmental authorization and water use licensing.
- Phase 3: Ad-hoc work that may be required by KZN DOT.

Proponents are required to submit their proposals to KZN DOT. The submission should include both technical and financial proposals submitted in a single submission. Should the proposals be acceptable to KZN DOT, proponents will be requested to enter into an agreement to carry out the services required.

### **1. Project Background**

The KwaZulu-Natal Department of Transport (KZN DOT) is in the planning phase for the upgrade of District Road 954, North East of Hibberdene, from Km 1+654 to Km 3+170, in the Umzumbe Local Municipality. This section of the road serves as an access route to the local communities of the Mnamfu and Turton areas. The riding quality of the existing gravel surface is very poor with large scouring in certain areas. KZN DOT aims to upgrade the road using Labour Intensive Construction Methods from a gravel to a concrete surface.

### **2. Scope of Work**

#### **2.1. Scope**

The proponents are to advise on the authorizations required and detailed scope of works for the environmental assessment and water use license for the planned upgrade of D954. The project evaluation should provide guidance on the environmental and water use licensing obligations in terms of the National Environmental Management Act (No. 107 of 1998), EIA Regulations, 2014 (as amended), and Section 21 of the National Water Act (No. 36 of 1998). The project evaluation should also include a fee structure illustrating the costing for managing and running the entire environmental impact assessment, water use authorization processes and preparing of an EMPr and managing of any specialists, conducting public participation meetings etc.

##### **2.1.1. Borrow Pits and Quarries**

It is anticipated that a portion of the material required for road fill will be generated from cuttings on site. All other road buildings materials are to be procured from commercial sources or surrounding borrow pits which may require environmental authorization. For the purpose of this BID please allow for 2 borrow pits that can be assumed to require Environmental Authorization due to the clearance of more than 1ha of indigenous vegetation. This has been shown as its own line item in the pricing table so if it is not required it will be removed. But, for the purposes of this BID please ensure you price for a Basic Assessment for each borrow pit. Should the borrow pits be within 500m of a wetland, they will need to be included in the Water Use Licenses application for the entire project.

### 2.1.2. Land Acquisition

There is no major realignment of the existing gravel track, therefore it is anticipated that no work shall occur outside of the existing KZN DOT road reserve except where borrow pits are used.

## 2.2. Project Description

The portion of District Road 954 planned to be upgraded by the KZN DOT Starts at KM 1+654, just short of its junction with the start of District Road 1099. The road crosses over a stream at approximately KM 2+405 with an existing stormwater structure at this crossing. With future upgrade plans, this stormwater structure will be upgraded to accommodate the change in vertical alignment of the road as well as to improve the capacities. This however shall not alter the natural watercourse of the stream. The road also passes over the National Route 2 at Km 3+020. There is an existing structure at this location but no work shall be done on it. The road extends further past the National Route 2 before coming to an end at Km 3+170. The locality map with the start and end details is shown in Figure 1.

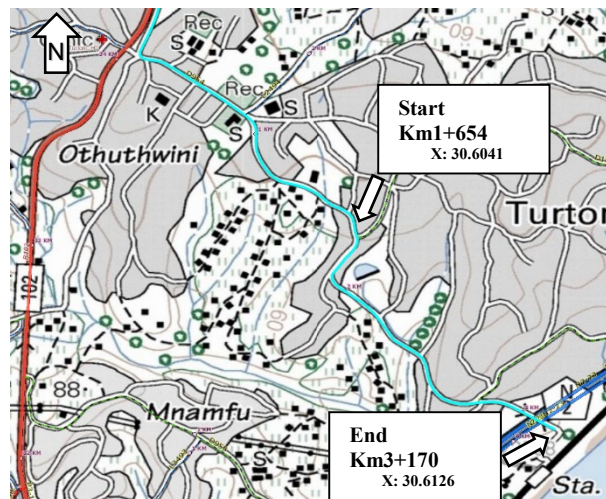


Figure 1. Project Locality

### 2.2.1. Construction upgrade works

The KZN DOT plans to upgrade the existing gravel track to a concrete surface to improve overall safety and mobility on the road. The road cross section shall be an 6.2 meter surfaced carriage way, consisting of 3.1 meter wide single lanes in either direction. The KZN DOT road reserve for this project is 10 meters wide either side of the road centreline. The upgraded project shall utilize existing and newly constructed stormwater infrastructure, side drains, Kerbs and channels, 1.5 m wide sidewalks, chutes and cross drainage culverts where required.

The planned upgrade follows the existing gravel track closely and no major deviations from the existing alignment are expected along District Road 954.

## 2.3. Objectives of investigation

To obtain Authorization from the competent authorities for the planned upgrade in terms of the EIA & WUA legislation and Regulations. In addition to this, the Environmental Assessment Practitioner (EAP) shall be conversant with all other environmental legislation pertaining to the project including the National Environmental Management Biodiversity Act (No. 10 of 2004), the National Forests Act (No. 84 of 1998) and National Roads Act, 1998 (Act No. 7 of 1998). The project needs to comply with environmental requirements which may fall within the jurisdiction of other government agencies such as the Department of Water and Sanitation (DWS) pertaining to Water Use Licences, AMAFA pertaining to Heritage Permits, Ezemvelo KZN Wildlife and Department of Agriculture, Forestry and Fisheries (DAFF) pertaining to permits for the removal of protected trees etc.

## 2.4. Approach / Proposed Methodology

The EAP shall be responsible to/for, inter alia, the following:-

- Familiarize him/herself with the geographical environment in which the upgrade is planned.
- Undertaking all necessary site visits/inspections with the relevant authorities/stakeholders.
- Identifying all processes, information, plans and reports required to comply with applicable environmental legislation required for **phase 1**.
- All processes, information, plans and reports produced in complying with applicable environmental legislation for **phases 2 and 3**.
- The delivery of high quality assessment documents and associated application forms to the relevant government departments in order for them to make a decision on the authorization and licenses required for the proposed road upgrade.
- Identifying and manage all required activities in respect of the environmental impact assessment and water use license processes, in **phases 2 and 3**, including but not limited to: identification of environmental risks, propose measures to minimise adverse environmental impacts, reduce conflict by promoting community participation, inform decision-makers and help to lay the foundation for financially viable, technically feasible, socially acceptable and environmentally sound projects.
- Meetings with client and the environmental authorities and other relevant correspondence for **phases 1, 2 and 3**.
- The Public Participation Process applicable to legislation.

The successful EAP will be required to elaborate on the specific methodology that he/she intends to follow. Relevant design layouts and drawings or any relevant electronic information shall be made available to the successful EAP.

### 2.4.1. Technical Proposal Documentation

- The proponents' relevant experience and track record in the required disciplines.
- A concise methodology of how and in what way the Proponent(s) intends to carry out the assignment to produce the necessary outputs and documentation. The proposal shall be specific as to the tasks that are to be carried out, the allocation of resources to tasks over time, the proposed programme and the reporting and results that are to be supplied to KZN DOT. All the necessary specialist studies required must also be included in the methodology.
- The proponents proposed project team and each individual member's relevant experience and track record in this field. The proposal must include a full resource list, CV's of key personnel that are to be used on the project including the team leader. In the case of a joint venture a signed resolution authorizing the team leader to sign on behalf of the joint venture.
- Preliminary details of reports to be reviewed, other surveys and investigations that are to be undertaken and procured.

### 2.4.2. Financial Proposal Documentation

The proposal shall take into account that it is intended that the project be implemented in three phases as follows:

- Phase 1: Project screening and specification from competent environmental authority for scope of works required for environmental authorizations.
- Phase 2: Appointment of service provider to perform the recommended works for environmental authorisation (Basic Assessment and Water Use Authorization (GA)).
- Phase 3: Ad-hoc work that may be required by KZN DOT.

Any ad-hoc work that may be required will be based on rates submitted under Phase 1 and 2. It is therefore a requirement that hourly rates of key staff members be submitted under Phases 1 and 2.

The proposed project schedule is as follows:

Note: Please ensure you price for all items in the table above. Should any items not be required this will be removed from the scope of works and not paid. Payment for phase 3 will be based on the rates used in phase 1 and 2.

KZN DOT reserves the right to appoint several service providers or a single service provider to carry out all phases.

## **2.5. Specialist Studies**

Specialist studies that are anticipated during Environmental Impact Assessment and Water Use Authorization phases have been listed above and must be priced for. A list of the possible specialist consultants must also be included in the proposal, including their Curriculum Vitae (CV) and previous experience with regard to linear projects.

The EAP will be required to procure the services of agreed specialist consultants from time to time as required. All proposals and quotations for carrying out specialist studies shall be submitted to the KZN DOT Chief Engineer: geometric design for approval before appointing a Service Provider.

## **2.6. Staffing**

Information regarding resources that are proposed to be involved in the project must be provided in the proposal, short but detailed CV's (not more than four A4 pages) are required for all senior and management staff including possible specialist consultants. The CV should list their relevant experience with respect to linear, specifically road projects, as well as qualifications and details of membership of relevant professional bodies.

### **Proponents are required to demonstrate:**

- Expertise in the area of environmental concern being dealt with in the application, including previous experience with regard to linear projects as well as the ability to perform all the relevant tasks;
- The ability to design and manage effective Public Participation Process;
- The ability to timeously produce thorough, comprehensible and informative documents;
- Recording and reporting systems to ensure the preservation of all data gathered; and,
- Specialist knowledge of all relevant policies, legislation, guidelines, norms and standards that apply to the proposed project.
- Any other specialist knowledge or methodology that may be applicable.

The company capability statement must also be provided, with specific reference to knowledge regarding Environmental Impact Assessments and the relevant authority requirements in this regard.

The EAP will be required to sign a declaration of independence to be submitted to the relevant environmental authorities.

## **2.7. Independence of Environmental Assessment Practitioner (EAP)**

As per the EIA Regulations, 2014 (amended), Section 13 requires that an EAP and specialists appointed:

- Be independent;
- Have expertise in conducting environmental impact assessments or undertaking specialist work as required, including knowledge of the Act, associated regulations and any guidelines that have relevance to the proposed activity;
- Ensure compliance with all application legislation relating to the project;
- Must perform the work relating to the application in an objective manner even if this results in views or findings that are unfavourable to the application;
- Disclose to the proponent or applicant, registered interested and affected parties and the competent authority, all material information in the possession of the EAP and, where applicable, the specialist, that

reasonably has or may have the potential of influencing any decision to be taken with respect to the application by the competent authority in terms of the EIA Regulations or the objectivity of any report, plan or document to be prepared by the EAP or specialist, in terms of EIA Regulations for submission to the competent authority, unless access to that information is protected by law, in which case it must be indicated that such protected information exists and is only provided to the competent authority.

A complete declaration of independence must be signed and attached to the technical specification document submitted to the KZN DOT.

**2.8. Check by the Head: Transport**

The Head: Transport shall scrutinise and check the submissions in all phases only to such an extent as he/she may deem necessary to satisfy himself/herself the terms of the contract and specifications have been complied with.

**No deviation from this specification shall be entertained.**

**Work not done according to the specification or required legislation will be returned to be corrected.**

The term "Head: Transport" shall be taken to include any officer of the KZN DOT duly authorised to act on behalf of the **Head: Transport**.

**3. Programme**

The proposals submitted should clearly set out the proposed time schedules and indicate any uncertainties associated with the processes.





Annex D

Imported Content Declaration - Supporting Schedule to Annex C

(D1) Tender No. \_\_\_\_\_  
 (D2) Tender description: \_\_\_\_\_  
 (D3) Designated Products: \_\_\_\_\_  
 (D4) Tender Authority: \_\_\_\_\_  
 (D5) Tendering Entity name: \_\_\_\_\_  
 (D6) Tender Exchange Rate: \_\_\_\_\_

Note: VAT to be excluded from all calculations

EU R 9.00      GBP R 12.00

**A. Exempted imported content**

Calculation of imported content										Summary	
Tender item no's	Description of imported content	Local supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Exchange Rate	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl VAT	Tender Qty	Exempted imported value
(D7)	(D8)	(D9)	(D10)	(D11)	(D12)	(D13)	(D14)	(D15)	(D16)	(D17)	(D18)
(D19) Total exempt imported value											

This total must correspond with Annex C - C 21

**B. Imported directly by the Tenderer**

Calculation of imported content										Summary	
Tender item no's	Description of imported content	Unit of measure	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Rate of Exchange	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl VAT	Tender Qty	Total imported value
(D20)	(D21)	(D22)	(D23)	(D24)	(D25)	(D26)	(D27)	(D28)	(D29)	(D30)	(D31)
(D32) Total imported value by tenderer											

**C. Imported by a 3rd party and supplied to the Tenderer**

Calculation of imported content										Summary	
Description of imported content	Unit of measure	Local supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Rate of Exchange	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl VAT	Quantity imported	Total imported value
(D33)	(D34)	(D35)	(D36)	(D37)	(D38)	(D39)	(D40)	(D41)	(D42)	(D43)	(D44)
(D45) Total imported value by 3rd party											

**D. Other foreign currency payments**

Calculation of foreign currency payments					Summary of payments	
Type of payment	Local supplier making the payment	Overseas beneficiary	Foreign currency value paid	Tender Rate of Exchange	Local value of payments	
(D46)	(D47)	(D48)	(D49)	(D50)	(D51)	

Signature of tenderer from Annex B \_\_\_\_\_

Date: \_\_\_\_\_

(D52) Total of foreign currency payments declared by tenderer and/or 3rd party

(D53) Total of imported content & foreign currency payments - (D32), (D45) & (D52) above

This total must correspond with Annex C - C 23

## Annex E

SATS 1286.2011

### Local Content Declaration - Supporting Schedule to Annex C

(E1)	Tender No.	<input style="width: 95%;" type="text"/>
(E2)	Tender description:	<input style="width: 95%;" type="text"/>
(E3)	Designated products:	<input style="width: 95%;" type="text"/>
(E4)	Tender Authority:	<input style="width: 95%;" type="text"/>
(E5)	Tendering Entity name:	<input style="width: 95%;" type="text"/>

**Note:** VAT to be excluded from all calculations

Local Products (Goods, Services and Works)	Description of items purchased	Local suppliers	Value
	(E6)	(E7)	(E8)
(E9) Total local products (Goods, Services and Works)			<input style="width: 95%;" type="text"/>

(E10)	<b>Manpower costs</b>	(Tenderer's manpower cost)	<input style="width: 95%;" type="text"/>
(E11)	<b>Factory overheads</b>	(Rental, depreciation & amortisation, utility costs, consumables etc.)	<input style="width: 95%;" type="text"/>
(E12)	<b>Administration overheads and mark-up</b>	(Marketing, insurance, financing, interest etc.)	<input style="width: 95%;" type="text"/>
(E13) Total local content			<input style="width: 95%;" type="text"/>

**This total must correspond with Annex C - C24**

Signature of tenderer from Annex B

\_\_\_\_\_

Date: \_\_\_\_\_