

Tender Info

Tender month	APRIL 2021
Tender date:	16/04/2021
Tender Number	NC/03/2021
Title of Tender	ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE; GRADING 1-5GB FOR A PERIOD OF 36 MONTHS
Description	ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE; GRADING 1-5GB FOR A PERIOD OF 36 MONTHS
Employer: Header	DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS OF THE NORTHERN CAPE
Employer	CoGHSTA
Employer email	bslenkoe@ncpg.gov.za
Postal Address	PRIVATE BAG X5005
Town/City	KIMBERLEY
Code	8300
Physical Address1	LARRY MOLEKO LOUW BUILDING
Physical Address2	9 CECIL SUSSMAN ROAD
Physical Address3	8301
Physical Address4	
Employer's Agent: Name	TEBOGO MONOAMETSI
Company	COGHSTA
Postal Address	PRIVATE BAG X5005
Town/City	KIMBERLEY, 8300
Physical 1	LARRY MOLEKO LOUW BUILDING
Physical 2	9 CECIL SUSSMAN ROAD
Tel:	(053) 830 9400
E-mail:	TMonoametsi@ncpg.gov.za
Advert Date	FRIDAY, 16 APRIL 2021
Briefing Date	A non-compulsory virtual briefing session will be held at 10h00 on THURSDAY 22 APRIL 2021 at the following link: https://teams.microsoft.com/l/meetup-join/19%3a66c7a9bb43f548d6b77d5116272d46a1%40thread.tacv2/1618500278679?context=%7b%22id%22%3a%2288c19a74-3c3b-445a-87e0-94c155bc09cf%22%2c%22oid%22%3a%222a1606a0-2c6d-4970-8e96-be03a4541607%22%7d
Tender Documents available @	www.coghsta.ncpg.gov.za
Closure Date	FRIDAY, 28 MAY 2021
Closure Time	11H00
Tender Box Location	COGHSTA HEAD OFFICE, LARRY MOLELO LOUW BUILDING, 9 CECIL SUSSMAN ROAD, KIMBERLEY, 8301.
General and Technical Enquiries Contact Person	Tebogo Monoametsi of CoGHSTA, Tel: (053) 807-9713, e-mail: TMonoametsi@ncpg.gov.za
Procurement Policy	Preferential Procurement Regulations, 2017 (Government Gazette No. 10684)
CIDB Grading (1 to 5) ONLY	Civil Engineering (CE) General Building Works (GB) Electrical Engineering Works (EP) Electrical Engineering Works (EP)



**DEPARTMENT OF CO-OPERATIVE
GOVERNANCE, HUMAN SETTLEMENTS AND
TRADITIONAL AFFAIRS OF THE NORTHERN
CAPE (COGHSTA)**

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT
OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

APRIL 2021

EMPLOYER:

**THE HEAD OF DEPARTMENT
CoGHSTA
PRIVATE BAG X5005
KIMBERLEY
8300**

TENDERER: _____

DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS OF THE NORTHERN CAPE

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

CLOSING DATE: 28 MAY 2021	CLOSING TIME: 11H00
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NAME OF TENDERER*

CONTACT PERSON*

ADDRESS*

.....

.....

.....

TEL NO*

FAX NO*

E-MAIL ADDRESS*

CIDB GRADING*

CIDB REGISTRATION NO*

NHBRC REGISTRATION NO*

B-BBEE LEVEL*

(TO BE COMPLETED BY TENDERER)*

**DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND
TRADITIONAL AFFAIRS OF THE NORTHERN CAPE**

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF
CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

GENERAL TENDER INFORMATION:

TENDER ADVERTISED	FRIDAY, 16 APRIL 2021
REQUIRED GRADING	Civil Engineering (CE) General Building Works (GB) Electrical Engineering Works (EB) Electrical Engineering Works (EP)
VIRTUAL BRIEFING SESSION	NON-COMPULSORY VIRTUAL BRIEFING SESSION HELD ON THURSDAY, 22 APRIL 2021 AT 10H00 AT THE FOLLOWING LINK: https://teams.microsoft.com/l/meetup-join/19%3a66c7a9bb43f548d6b77d5116272d46a1%40thread.tacv2/1618500278679?context=%7b%22Tid%22%3a%2288c19a74-3c3b-445a-87e0-94c155bc09cf%22%2c%22Oid%22%3a%222a1606a0-2c6d-4970-8e96-be03a4541607%22%7d
CLOSING DATE	FRIDAY, 28 MAY 2021
CLOSING TIME	11H00
CLOSING VENUE	Tender Box at COGHSTA HEAD OFFICE, LARRY MOLELO LOUW BUILDING, 9 CECIL SUSSMAN ROAD, KIMBERLEY, 8301.

The Tender Documents (which include the Form of Offer and Acceptance) completed in all respects, plus any additional supporting documentation required, must be submitted in a sealed envelope with the name and address of the Tenderer, the Tender No. and title and the closing date indicated on the envelope. The sealed envelope must be handed in at the Tender Box at the **CoGHSTA KIMBERLEY** Offices. Tenders will **NOT** be opened directly after closing.

**DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND
TRADITIONAL AFFAIRS OF THE NORTHERN CAPE**

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF
CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

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THE TENDER



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PART T 1:

TENDER PROCEDURES

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T 1.1:

**TENDER NOTICE AND
INVITATION TO TENDER**



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**DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND
TRADITIONAL AFFAIRS OF THE NORTHERN CAPE**

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF
CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

**DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENT AND TRADITIONAL
AFFAIRS NORTHERN CAPE INVITES TENDERERS FOR ESTABLISHMENT OF A DATABASE FOR
ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE GRADE 1-5**

CoGHSTA hereby invites tenders for ESTABLISHMENT OF DATABASE FOR ENTERPRISE
DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE;

1. **Only CSD registered tenderers with a relevant CIDB are eligible to submit tenders and for those who wish to register for the construction of subsidised houses must possess NHBC registration.**
2. **All service providers will be verified in accordance with CIDB of the Northern Cape Province. Therefore should you not appear on the NORTHERN CAPE CIDB list of registered contractors, your company will not form part this development programme.**
3. **Tender documents are available on the departmental website: www.coghsta.ncpg.gov.za**
4. **There will be a non-compulsory virtual briefing session at 10h00 on 22 APRIL 2021 at the following link : <https://teams.microsoft.com/join/19%3a66c7a9bb43f548d6b77d5116272d46a1%40thread.tacv2/1618500278679?context=%7b%22Tid%22%3a%2288c19a74-3c3b-445a-87e0-94c155bc09cf%22%2c%22Oid%22%3a%22a1606a0-2c6d-4970-8e96-be03a4541607%22%7d>**
5. **Closing of Tender at 11H00 on FRIDAY, 28 MAY 2021 at COGHSTA HEAD OFFICE, LARRY MOLEKO LOUW BUILDING, 9 CECIL SUSSMAN ROAD, KIMBERLEY, 8301.**
7. **General enquiries relating to this tender should be addressed to Tebogo Monoametsi of CoGHSTA, Tel: (053) 807-9713, e-mail: TMonoametsi@ncpg.gov.za**
8. **Please note:**
 - Preference will be given to construction companies who are owned by Women, Youth & Persons with Disabilities.
 - Documents to be submitted with the tender document: An original valid Tax Clearance Certificate or certified copy inclusive of verification PIN, NHBC certificate, Copy of CSD Registration summary report, B-BBEE Status Level Certificates or certified copies thereof. Exempted Micro Enterprises must in terms of B-BBEE Act, submit a certificate issued by an Accounting Officer as contemplated in the Close Corporation Act or Verification Agency accredited by SANAS or Registered Auditor.

- **Functionality evaluation criteria will apply. Based on functionality the tenderer should score 50% or more on the following criteria to be further evaluated:**

ITEM	DESCRIPTION	SCORE (%)
1.	NORTHERN CAPE BASED	20
2.	FEMALE, YOUTH & PERSONS WITH DISSABILITIES >50% - 100% OWNED/DIRECTORS/PARTNERS	30
3.	FEMALE, YOUTH & PERSONS WITH DISSABILITIES <50% OWNED/DIRECTORS/PARTNERS	10
4.	EXPERIENCE	20
5	<u>QUALIFICATIONS COMPRISING OF:</u> NHBRC = 05 CIDB = 15	20
TOTAL		100

- The requirements of the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2017 (Government Gazette No. 10684) shall also apply, together with all other requirements as set out in the Tender Data.
- Failure to comply with above requirements will result in automatic disqualification of the bidder.
- CoGHSTA reserves the right to withdraw any invitation to tender and/or re-advertise or to reject any tender or to accept a part of it. CoGHSTA does not bind itself to accepting any tender.



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T 1.2:

TENDER DATA

**DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND
TRADITIONAL AFFAIRS OF THE NORTHERN CAPE**

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF
CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

T 1.2: TENDER DATA

The conditions of tender are the Standard Conditions of Tender as contained in Annex F of Board Notice 86 of 2010 in government Gazette No. 33239 of 28 May 2010, Construction Industry Development Board (CIDB) Standard for Uniformity in Construction Procurement. (See www.cidb.org.za) which are reproduced without amendment or alteration for the convenience of Tenderers as an Annex to this tender Data.

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

The following conditions in the Tender Data below shall apply to this tender:

Item Number	Tender Data
------------------------	--------------------

F.1.	Communication and Employer's Agent
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Attention is drawn to the fact that verbal information, given by the Employer's Agent during site visits / clarification meetings or at any other time prior to the award of the Contract, will not be regarded as binding on the Employer. Only information issued formally by the Employer's Agent in writing to Tenderers will be regarded as amending the Tender Document.

The Employer's Agent is:

Name: MR TEBOGO MONOAMETSI
PRIVATE BAG X5005
KIMBERLEY, 8300
Tel.: (053) 830 9400
E-mail: TMonoametsi@ncpg.gov.za

F.2	Tenderer's Obligations
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F.2.1	Eligibility
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Only those Tenderers who are registered with the **Construction Industry Development Board (CIDB)** Contractor Registration will be eligible to apply. All service providers will be verified in accordance with the CIDB of the Northern Cape Province. Therefore, should you not appear on the NORTHERN CAPE CIDB list of registered contractors, your company will not form part of this development programme.

Joint Ventures are eligible to submit tenders provided that every member of the Joint Venture is registered with the CIDB.

F.2.2 Clarification Meeting

Non-compulsory clarification meeting will be held on Wednesday, 21 April 2021.

F.2.3 Clarification of Tender Offer after Submission

A tender will be rejected as non-responsive if the Tenderer fails to provide any clarification requested by the Employer within the time for submission stated in the Employer's written request for such clarification.

F.2.4 Tax Clearance Certificate

Tenderers shall be registered and in good standing with the South African Revenue Service (SARS) and shall submit documentary evidence in the form of an original valid Tax Clearance (or PIN) issued by SARS or proof that he or she has made arrangements with SARS to meet his or her outstanding tax obligations.

Each party to a Consortium/Joint Venture shall submit a separate Tax Clearance Certificate, or proof that he or she has made the necessary arrangements with SARS.

Each party to a Consortium/Joint Venture shall submit separate certificates in the above regard.

F.2.5 NHBC Registration

A NHBC Registration is **compulsory** for this tender.

F.3.1 Opening of Tender Submissions

Tenders will not be opened immediately after the closing time for receipt of tenders.

F. 3.2 Test for Responsiveness

Tenders will be considered non-responsive if, inter alia:

- a) the Tenderer does not comply with the CIDB contractor registration;
- b) the Tender is not Tax compliant;
- c) the Tenderer has failed to clarify or submit any supporting documentation within the time for submission stated in the employers written request;
- d) the Tenderer is not registered with the NHBC.

F.3.3 Evaluation of Tender Offers

Functionality will be scored and a minimum of 50 out of the possible 100 is required to be evaluated any further.

ITEM	DESCRIPTION	SCORE (%)
1.	NORTHERN CAPE BASED	20
2.	FEMALE, YOUTH & PERSONS WITH DISSABILITIES >50% - 100% OWNED/DIRECTORS/PARTNERS	30
3.	FEMALE, YOUTH & PERSONS WITH DISSABILITIES <50% OWNED/DIRECTORS/PARTNERS	10
4.	EXPERIENCE	20
5	<u>QUALIFICATIONS COMPRISING OF:</u> NHBC = 5 CIDB = 5	20
TOTAL		100

F.3.4 Risk Analysis

Notwithstanding compliance with regards to CIDB registration or any other requirements of the tender, the employer will perform a risk analysis in respect of the following:

- a) the Tenderer's ability to fulfil its obligations in terms of the tender document, that is, that the Tenderer can demonstrate that he/she possesses the necessary professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience, reputation, personnel to perform the contract, etc.

No Tenderer will be recommended for an award unless the Tenderer has demonstrated that he/she has the resources and skills required.

F.3.5 **Acceptance of panel**

The Employer does not bind itself to accepting any tender.

Tender offers will only be accepted if:

- (a) the Tenderer is registered and in good standing with the South African Revenue Service (SARS) and has submitted evidence in the form of an original valid Tax Clearance Certificate (for tender) issued by SARS or proof that he or she has made arrangements with SARS to meet his or her outstanding tax obligations;
- (b) the Tenderer or any of its Directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;
- (c) the Tenderer has not:
 - (i) abused the Employer's Supply Chain Management System; or
 - (ii) failed to pay municipal rates and taxes or service charges as applicable at the Tenderer's Head Office Municipality and such rates, taxes and charges are in arrears for more than three months;
- (d) the Tenderer has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the Tenderer's ability to perform the contract in the best interests of the Employer or potentially compromise the tender process.

F.3.6 **Notice to unsuccessful Tenderers**

The Employer will publish the award of the advertised competitive bid on the e-Tender Publication Portal and the departmental website.

F.4.1 **Invalid tenders**

Tenders shall be considered invalid and shall be endorsed and recorded as such in the tender opening record, by the responsible official who opened the tender, in the following circumstances:

- (a) If the tender is not completed in non-erasable black ink;
- (b) The name of the Tenderer is not stated or is indecipherable.

F.4.2 **Combating abuse of the Supply Chain Management Policy**

In terms of the Its Supply Chain Management Policy, the Employer may reject the tender of any Tenderer if that Tenderer or any of its Directors has:

- (a) failed to pay municipal rates and taxes or municipal service charges and such rates, taxes and charges are in arrears for more than three months;
- (b) failed, during the last five years, to perform satisfactorily on a previous contract with the Employer or any other organ of state after written notice was given to that Tenderer that

performance was unsatisfactory;

- (c) abused the supply chain management system of the Employer or has committed any improper conduct in relation to this system;
- (d) been convicted of fraud or corruption during the past five years;
- (e) willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
- (f) been listed with the Register of Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004) or has been listed on National Treasury's database as a person or juristic entity prohibited from doing business with the public sector.

In this regard, Tenderers shall complete Schedules 3 as well as 5, Part T2.2: Returnable Schedules: Certificate of Independent Tender Determination and Declaration in terms of the Municipal Finance Management Act. Failure to complete these schedules may result in the tender not being considered.

F.4.14 Sub-Contracting

The Treasury regulation on sub-contracting shall apply to all human settlements projects over R30million. The local contractors registered on the Departments database for the region in which the project takes place will be provided in the bid document.

F.4.15 Cost of tendering

Accept that, unless otherwise stated in the Tender Data, the Employer will not compensate the Tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer complies with requirements.



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PART T 2:

RETURNABLE DOCUMENTS

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T 2.1:

LIST OF RETURNABLE DOCUMENTS

T 2.1: LIST OF RETURNABLE DOCUMENTS:

NB: TENDERERS MUST COMPLETE THESE SCHEDULES / DATA SHEETS / FORMS IN BLACK INK

1. Returnable Schedules required for Tender Evaluation Purposes:

- Schedule 1: Compulsory Enterprise Questionnaire
- Schedule 2: Certificate of Independent Tender Determination
- Schedule 3: Certificate of Authority for Joint Ventures
- Schedule 4: Certificate for Municipal Services and Payments to Service Provider
- Schedule 5: Schedule of Work Experience
- Schedule 6: Proposed Amendments and Qualifications by Tenderer
- Schedule 7: Details of Management Team
- Schedule 8: Confirmation of Construction Industry Development Board (CIDB) Registration
- Schedule 9: Confirmation of National Home Builders Registration Council (NHBRC) Contractor Registration

2. Returnable Schedules that will be incorporated into the Contract:

- Schedule 21: Record of Addenda to Tender Documents
- Schedule 22: NCP Schedules:
 - NCP 1;
 - NCP 2;
 - NCP 4;
 - NCP 6.1;
 - NCP 8;
 - NCP 9.



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T 2.2: RETURNABLE SCHEDULES

DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS OF THE NORTHERN CAPE

TENDER NO/03/2021

ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE; GRADING 1-5GB FOR A PERIOD OF 36 MONTHS

SCHEDULE 1

COMPULSORY ENTERPRISE QUESTIONNAIRE

The following particulars must be furnished. In the case of a Joint Venture, separate questionnaires in respect of each partner must be completed and submitted.

SECTION 1:

Name of Enterprise:

Address of Enterprise:

.....
.....

SECTION 2:

VAT Registration Number, if any:

SECTION 3:

CIDB Registration Number, if any:

SECTION 4:

Particulars of Sole Proprietors and Partners in partnerships:

NAME*	IDENTITY NUMBER *	PERSONAL INCOME TAX NUMBER*

* Complete only if Sole Proprietors or Partnership and attach separate page if more than 5 (five) partners.

SECTION 5: Particulars of Companies and Close Corporations:

Company Registration Number:

Close Corporation Number:

Tax Reference Number:

SECTION 6: Record of service of the State:

Indicate by marking the relevant boxes with a cross, if any Sole Proprietor, partner in partnership or Director, Manager, Principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 (twelve) months in the service of any of the following:

- A member of any Municipal Council;
- A member of any Provincial Legislature;
- A member of the National Assembly or the National Council for Provinces;
- A member of the Board of Directors of any Municipal entity;
- An official of any Municipality or Municipal entity;
- An employee of any Provincial Department, National or Provincial public entity or Constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999);
- A member of the accounting authority of any National or Provincial public entity; or
- An employee of Parliament or a provincial legislature.

If any of the above boxes are marked, disclose the following:

Name of Sole Proprietor, Partner, Director, Manager, Principal shareholder or Stakeholder	Identity Number	Name of Institution, Public Office, Board or Organ of State and position held	Status of service (tick appropriate column)	
			Current	Within last 12 months

* **Insert** separate page if necessary.

SECTION 7: Record of spouses, children and parents in the service of the State:

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a Sole Proprietor, Partner in a partnership or Director, Manager, Principal shareholder or Stakeholder in a company or close corporation is currently or has been within the last 12 (twelve) months been in the service of any of the following:

- A member of any Municipal Council;
- A member of any Provincial Legislature;
- A member of the National Assembly or the National Council for Provinces;
- A member of the Board of Directors of any Municipal entity;
- An official of any Municipality or Municipal entity;
- An employee of any Provincial Department, National or Provincial public entity or Constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999);
- A member of the accounting authority of any National or Provincial public entity; or
- An employee of Parliament or a provincial legislature.

Name of Sole Proprietor, Partner, Director, Manager, Principal shareholder or Stakeholder	Identity Number	Name of Institution, Public Office, Board or Organ of State and position held	Status of service (tick appropriate column)	
			Current	Within last 12 months

* **Insert** separate page if necessary.

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

- i) Authorizes the Employer to obtain a Tax Clearance Certificate from the South African Revenue Service that my/our tax matters are in order;
- ii) Confirms that neither the name of the enterprise or the name of any Partner, Manager, Director or other person, who, wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulter established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) Confirms that no Partner, Member, Director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last 5 (five) years been convicted of fraud or corruption;
- iv) Confirms that I/we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the Tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- v) Confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

SIGNED ON BEHALF OF THE TENDERER:

DATE:

DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS OF THE NORTHERN CAPE

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

SCHEDULE 2

CERTIFICATE OF INDEPENDENT TENDER DETERMINATION

I, the undersigned, in submitting this tender for

TENDER NO.: ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE GRADING 1-5
in response to the invitation to tender made by the **DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS OF THE NORTHERN CAPE**, do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of (Name of Tenderer) that

1. I have read and understand the contents of this Certificate;
2. I understand that this tender will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorised by the Tenderer to sign this Certificate, and to submit this tender on behalf of the Tenderer;
4. Each person whose signature appears on this tender has been authorised by the Tenderer to determine terms of, and to sign, the tender on behalf of the Tenderer;
5. For the purposes of this Certificate and this tender, I understand that the word “competitor” shall include any individual or organization, other than the Tenderer whether or not affiliated with the Tenderer;
 - (a) has been requested to submit a tender in response to this invitation to tender;
 - (b) could potentially submit a tender in response to this invitation to tender, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the Tenderer and/or is in the same line of business as the Tenderer;
6. The Tenderer has arrived at this tender independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communicating between partners in a Joint Venture or Consortium¹ will not be construed as collusive tendering;
7. In particular, without limiting the generality of Paragraph 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 tender;
 - (e) the submission of a tender which does not meet the specifications and conditions of the tender; or
 - (f) tendering with the intention not to win the tender.

¹ 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.

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 invitation to tender relates.
9. The terms of this tender have not been, and will not be, disclosed by the Tenderer, directly or indirectly, to any competitor, prior to the date and time of the official tender 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 tenders and contracts, tenders 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 1989 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 10 (ten) years in terms of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or another applicable legislation.

.....
SIGNATURE

.....
DATE

.....
POSITION

.....
NAME OF TENDERER

**DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND
TRADITIONAL AFFAIRS OF THE NORTHERN CAPE**

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF
CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

SCHEDULE 3

CERTIFICATE OF AUTHORITY FOR JOINT VENTURES

This returnable schedule is to be completed by Joint Ventures.

YES NO (PLEASE INDICATE IF THIS IS A JV OR NOT. IF YES, FILL IN THE DETAILS BELOW.
ALSO ATTACH A SIGNED COPY OF AGREEMENT BETWEEN PARTIES)

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorize

Mr/Mrs, authorised signatory of the

Company, Close Corporation or Partnership
acting in the capacity of Lead Partner, to sign all documents in connection with the tender offer and any
contract resulting from it on our behalf.

NAME OF FIRM	ADDRESS	DULY AUTHORISED SIGNATORY
Lead Partner:		Signature: Name: Designation:
		Signature: Name: Designation:
		Signature: Name: Designation:

Note: A copy of the Joint Venture Agreement shall be appended to this Schedule.

SIGNED ON BEHALF OF THE TENDERER:

DATE:

**DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND
TRADITIONAL AFFAIRS OF THE NORTHERN CAPE**

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF
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GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

SCHEDULE 4

CERTIFICATE FOR MUNICIPAL SERVICES AND PAYMENT TO SERVICE PROVIDER

The Tenderer must attach to this page a **certified copy** of the Tenderer's latest Municipal Services Account, invoiced not more than **30 (thirty) days** prior to tender closure.

To: THE HEAD OF THE DEPARTMENT

<p>TENDER NO. NC/03/2021: ESTABLISHMENT OF ENTERPRISE DEVELOPMENT PROGRAMME FOR CONTRACTORS GRADE 1-5</p> <p>NAME OF THE TENDERER:</p>
--

FURTHER DETAILS OF THE TENDERER/S; PROPRIETOR / DIRECTOR/S / PARTNERS, ETC.

PHYSICAL BUSINESS ADDRESS OF THE TENDERER	MUNICIPAL ACCOUNT NUMBER/S

If there is not enough space for all the names, please attach the additional details to the Contract document.

NAME OF DIRECTOR/ MEMBER/PARTNER	IDENTITY NUMBER	PHYSICAL RESIDENTIAL ADDRESS OF DIRECTOR/ MEMBER/ PARTNER	MUNICIPAL ACCOUNT NUMBER/S

CERTIFICATION:

I,, the undersigned,
(Full name in block letters)

certify that the information furnished on this declaration form is correct and that I/we have no undisputed commitments for Municipal Services towards a Municipality or other Service Provider in respect of which payment is overdue for more than 30 (thirty) days.

.....
SIGNATURE

THUS DONE AND SIGNED for and on behalf of the Tenderer / Contractor

at(Place) on the day of(Month) 20(Year)

Please note:

Even if the requested information is not applicable to the Tenderer, the table above should be endorsed NOT APPLICABLE and THIS DECLARATION MUST STILL BE SIGNED.

**DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND
TRADITIONAL AFFAIRS OF THE NORTHERN CAPE**

TENDER NO. NC/03/2021

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GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

SCHEDULE 5

SCHEDULE OF WORK EXPERIENCE

The Tenderer shall insert in the spaces provided below a list of similar completed contracts awarded to him and those currently being undertaken.

EMPLOYER (NAME, TEL. NO. AND FAX NO.)	PRINCIPAL AGENT (NAME, TEL. NO. AND FAX NO.)	NATURE OF WORK	VALUE OF WORK R (m)	COMPLETION DATE
COMPLETED PROJECTS (Only list completed projects in the past five (3) years. Attach additional pages if needed.)				
CURRENT PROJECTS (attach additional pages if needed.)				

Number of sheets appended by the Tenderer to this Schedule: (If nil, enter NIL)

SIGNED ON BEHALF OF THE TENDERER:

DATE:

DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS OF THE NORTHERN CAPE

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

SCHEDULE 6

DETAILS OF MANAGEMENT TEAM

Tenderers shall set out in the Schedule hereunder details of the Management Staff experience in work of a similar nature to that for which their tender is submitted.

Failure to complete this Schedule may result in the Tenderer not being considered.

1) Company Director's Name:

NO. OF YEARS THAT DIRECTOR HAS OPERATED	YEAR'S EXPERIENCE
As a Director	
In building environment as Project/Contract Manager	
Other (Specify in CV)	
TOTAL YEARS' EXPERIENCE	

2) Site Agent's Name:

NO. OF YEARS THAT SITE AGENT HAS OPERATED	YEAR'S EXPERIENCE
As a Site Agent	
In building environment as Foreman	
Other (Specify in CV)	
TOTAL YEARS' EXPERIENCE	

NOTE: PLEASE APPEND CV'S AND CERTIFICATES

Please indicate by write individual selected for the project's NQF level and cross with an (X) applicable candidate experience allocated for this project.

QUALITY CRITERIA: APPLICABLE EXPERIENCE							
	POSITION	NQF LEVEL	YEARS OF EXPERIENCE				
1	Site Quantity Surveyor		2 - 5	6 - 8	9 and more		
2	Site supervisor / General Foreman		4 - 6	7 - 9	10 and more		
3	Quality Officer / Manager		2 - 5	6 - 10	11 and more		
4	Health and Safety Officer		2 - 5	6 - 8	9 and more		

Number of sheets, appended by the Tenderer to this Schedule: (If nil, enter NIL)

SIGNED ON BEHALF OF THE TENDERER:

DATE:

DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS OF THE NORTHERN CAPE

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

SCHEDULE 7

CONFIRMATION OF CIDB CONTRACTOR REGISTRATION

The Tenderer must attach to this page a **certified copy** of the Tenderer's Construction Industry Development Board (CIDB) certificate.

I/We understand that only Tenderers who are registered with the Construction Industry Development Board (CIDB) in a Contractor grading designation equal to or higher than a Construction grading designation determined in accordance with the sum tendered for, are eligible to submit tenders.

Joint Ventures are eligible to submit Tenders provided that:

1. Every member of the Joint Venture is registered with the CIDB;
2. The lead partner has a Contractor grading of not more than one lower than the designation determined in accordance with the sum tendered.
3. The combined Contractor grading designation calculated in accordance with the CIDB Regulations is equal to or higher than a Contractor grading designation determined in accordance with the sum tendered; and
4. The contract participation of each member in a Joint Venture is in accordance with the individual member's CIDB contractor grading designation.

I/We understand that the Employer may only enter into a formal contract with a Tenderer who is registered with the Construction Industry Development board (CIDB) as a CIDB Designation **CE and GB** (of the correct Class in accordance with the tendered sum) and has been issued with such a CIDB Contractor registration grading designation.

Contractor Industry Development Board (CIDB) Contractor Registration

I/We wish to confirm the following:

Yes I/We are registered with the CIDB as a Contractor:

Registration No.:

CIDB Contractor's Grading:

Tender amount, VAT excluded: R.....

I/We understand that:

Tenderers must be registered prior to the closing date/time for tender submissions in a CIDB Contractor grading designation equal to or higher than a grading corresponding to the amount tendered.

DESIGNATION	UPPER LIMIT, (R) OF TENDER VALUE RANGE, VAT INCLUDED
1	500,000
2	1 000 000
3	3,000,000
4	6,000,000
5	10 000,000
6	20,000,000
7	60,000,000
8	200,000,000
9	No Limit

TABLE: The value required to determine the financial capability of a Contractor is as indicated.

SIGNED ON BEHALF OF THE TENDERER:

DATE:

DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS OF THE NORTHERN CAPE

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

SCHEDULE 8

CONFIRMATION OF NHBRC CONTRACTOR REGISTRATION

The Tenderer must attach to this page a **certified copy** of the Tenderer's National Home Builders Registration Council (NHBRC) Certificate.

I/We understand that only Tenderers who are registered with the National Home Builders Registration Council (NHBRC) are eligible to submit tenders.

Joint Ventures are eligible to submit Tenders provided that every member of the Joint Venture is registered with the NHBRC.

I/We understand that the Employer may only enter into a formal contract with a Tenderer who is registered with the NHBRC.

National Home Builders Registration Council (NHBRC) Contractor Registration

I/We wish to confirm the following:

Registration No.:

The Certificate must be valid for a period of 1 (one) year.

Date Issued:

Expiry Date:

I/We understand that Tenderers must be registered with the NHBRC prior to the closing date/time for tender.

SIGNED ON BEHALF OF THE TENDERER:

DATE:

DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS OF THE NORTHERN CAPE

TENDER NO. NC/03/2021

**ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE;
GRADING 1-5GB FOR A PERIOD OF 36 MONTHS**

NCP SCHEDULES

LIST OF NCP FORMS	Pages
NCP 1.....	19
NCP 2.....	21
NCP 4 (7/12/11)	22
NCP 6.1 (7/12/11)	25
NCP 8 (7/12/11)	31
NCP 9 (7/12/11)	4

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF CoGHSTA

TENDER NO. **NC/03/2021** CLOSING DATE: **28 MAY 2021** CLOSING TIME:**11H00**

DESCRIPTION: BIDS ARE INVITED BY DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS OF THE NORTHERN CAPE FOR ESTABLISHMENT OF DATABASE FOR ENTERPRISE DEVELOPMENT OF CONTRACTORS IN THE NORTHERN CAPE PROVINCE; GRADING 1-5GB FOR A PERIOD OF 36 MONTHS

BID DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT: **LARRY MOLEKO LOUW
BUILDING
9 CECIL SUSSMAN ROAD
KIMBERLEY
8301**

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is generally open 24 (twenty-four) hours a day, 7 (seven) days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2018, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

**THE FOLLOWING PARTICULARS MUST BE FURNISHED.
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

NAME OF BIDDER:

POSTAL ADDRESS:

STREET ADDRESS:

TELEPHONE NUMBER:

CELLPHONE NUMBER:

FACIMILE NUMBER:

E-MAIL ADDRESS:

VAT REGISTRATION NUMBER:

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED?
(NCP 2)

YES NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED?
(NCP 6.1)

YES NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM
(SANAS);

OR

A REGISTERED AUDITOR
(Tick the applicable box)

A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED?

YES NO

IF YES, ENCLOSE PROOF

.....
SIGNATURE OF BIDDER

.....
DATE

.....
CAPACITY UNDER WHICH THIS BID IS SIGNED

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Contact Person: Tebogo Monoametsi of CoGHSTA, Tel: (053) 807-9713, e-mail: TMonoametsi@ncpg.gov.za

TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT:

1. The taxes of the successful Bidder **must** be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his/her tax obligations.
2. The form "Application for Tax Clearance Certificate (in respect of Bidders)", must be completed in all respects and submitted to the Receiver of Revenue where the Bidder is registered for tax purposes. The Receiver of Revenue will then furnish the Bidder with a Tax Clearance Certificate that will be valid for a period of 6 (six) months from the date of issue. This Tax Clearance Certificate must be submitted in the original (or PIN), together with the bid and attached to Schedule 15. Failure to submit the **original** and valid Tax Clearance Certificate **will** invalidate the bid.
3. In bids where Consortia / Joint Ventures / Sub-Contractors are involved, each party must submit a separate Tax Clearance Certificate. Copies of the "Application for Tax Clearance Certificates" are available at any Receiver's Office.

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the State¹, 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 questionnaire must be completed and submitted with the bid.**
 - 2.1 Full name of the Bidder or his representative:
 - 2.2 Identity Number:
 - 2.3 Position occupied in the Company (Director; Trustee, Shareholder², Member):
.....
 - 2.4 Registration Number of Company, Enterprise, Close Corporation, Partnership agreement or Trust:
.....
 - 2.5 Tax Reference Number:
 - 2.6 Vat Registration Number:
 - 2.6.1 The names of all Directors / Trustees / Shareholders / Members, their individual identity numbers, tax reference numbers and, if applicable, Employee / PERSAL numbers must be indicated in paragraph 3 below.

¹ **“State” means –**
 (a) *any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);*
 (b) *any municipality or municipal entity;*
 (c) *provincial legislature;*
 (d) *National assembly or the National Council for Provinces; or*
 (e) *Parliament.*

² **“Shareholder” means a person who owns shares in the Company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.**

2.7 Are you or any person connected with the Bidder presently employed by the State? **YES NO**

2.7.1 If so, furnish the following particulars:

Name of person /director / Trustee / Shareholder? Member:

Name of State institution at which you or the person connected to the Bidder is employed:

Position occupied in the State institution:

Any other particulars:
.....
.....

2.7.2 If you are presently employed by the State, did you obtain the appropriate authority to undertake remunerative work outside employment in the Public Sector? **YES NO**

2.7.2.1 If YES, did you attach proof of such authority to the bid document? **YES NO**

Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If NO, furnish reasons for non-submission of such proof:
.....
.....

2.8 Did you or your spouse, or any other of the Company's Directors / Trustees / Shareholders / Members or their spouses conduct business with the State in the previous 12 (twelve) months? **YES NO**

2.8.1 If so, furnish particulars:
.....
.....

2.9 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 and/or adjudication of this bid? **YES NO**

2.9.1 If so, furnish particulars:
.....
.....

2.10 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 and who may be involved with the evaluation and/or adjudication of this bid? **YES NO**

2.10.1 If so, furnish particulars:

NCP 4 (7/12/11)

.....
.....

2.11 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? **YES NO**

2.11.1 If so, furnish particulars:

.....
.....

3. Full details of Directors / Trustees / Members / Shareholders:

FULL NAME	IDENTITY NUMBER	PERSONAL INCOME TAX REFERENCE NUMBER	STATE EMPLOYEE NUMBER / PERSAL NUMBER

4. DECLARATION:

I, THE UNDERSIGNED (Name)

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 AND 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
SIGNATURE

.....
DATE

.....
POSITION

.....
NAME OF TENDERER

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS, 2018

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, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2018

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 The value of this bid estimated to **not exceed R50 000 000**, (all applicable taxes included), and therefore the **80/20** system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (i) Price; and
- (ii) B-BBEE Status Level of Contribution.

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

POINTS

1.3.1.1 **PRICE** 80

1.3.1.2 **B-BBEE STATUS LEVEL OF CONTRIBUTION** MAXIMUM OF 20

Total points for Price and B-BBEE must not exceed **100**

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

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

2. DEFINITIONS

2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice

on Black Economic Empowerment, issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

- 2.4 **“Bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of State for the provision of services, works or goods, through price quotations, advertised competitive bid processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“Comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration.
- 2.7 **“Consortium or Joint Venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract.
- 2.8 **“Contract”** means the agreement that results from the acceptance of a bid by an organ of State.
- 2.9 **“EME”** means any enterprise with annual total revenue of R5 million or less;
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition or abolition of customs or excise duty and any other duty, levy or tax which, in terms of the law or regulation, is binding on the Contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“Functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a Bidder;
- 2.12 **“Non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“Person”** includes a juristic person;
- 2.14 **“Rand value”** means the total estimated value of a contract in South African currency, calculated at the time of the bid invitations and includes all applicable taxes and excise duties;
- 2.15 **“Sub-contract”** means the primary Contractor’s assigning, leasing, making out work to, or employing another person to support such primary Contractor in the execution of part of a project in terms of the contract;
- 2.16 **“Total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of Section 9 (1) of the Broad- Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“Trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“Trustee”** means any person, including the founder of the trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The Bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.
- 3.3 Points scored must be rounded off to the nearest 2 (two) decimal places.

- 3.4 In the event that two or more bids have scored equal points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preferential points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects; the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 OR 90/10 PREFERENCE SYSTEMS

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

80/20

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

90/10

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

Where

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

5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

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

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

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.

- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A Trust, Consortium or Joint Venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A Trust, Consortium or Joint Venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a Bidder intends sub-contracting more than 30 (thirty) % of the value of the contract to any other enterprise that does not qualify for at least the points that such a Bidder qualifies for, unless the intended Sub-Contractor is an EME that has the capacity and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 30 (thirty) % of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION:

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

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

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

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

8. SUB-CONTRACTING

- 8.1 Will any portion of the contract be sub-contracted? (Delete which is not applicable) **YES NO**
- 8.1.1 If yes, indicate:
 - (i) what percentage of the contract will be sub-contracted %
 - (ii) the name of the Sub-Contractor
 - (iii) the B-BBEE status level of the Sub-Contractor
 - (iv) whether the Sub-Contractor is an EME **YES NO**

9. DECLARATION WITH REGARD TO COMPANY / FIRM:

- 9.1 Name of firm:
- 9.2 VAT registration number:
- 9.3 Company registration number:

9.4 TYPE OF COMPANY / FIRM

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

(Tick applicable box)

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

9.6 COMPANY CLASSIFICATION

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

(Tick applicable box)

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

9.8 I/We, the undersigned, who is/are duly authorised to do so on behalf of the company/firm, certify that points claimed, based on the B-BBEE Status Level of Contribution, indicated in paragraph 7 of the foregoing certificate, qualifies the company/firm for the preference(s) shown and I/we acknowledge that:

- (i) The information furnished is true and correct.
- (ii) The preference points claimed is in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the Contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
- (iv) If the B-BBEE Status Level of Contribution has been claimed or obtained on a fraudulent basis or any of the conditions of the contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) restrict the Bidder or Contractor, its Shareholders and Directors, or only the Shareholders and Directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES:

1.

2.

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

DATE:

ADDRESS:

.....

.....

.....

DECLARATION OF TENDERER'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 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 rejected if that Bidder, or any of its Directors have:
 - (a) abused the institution's supply chain management;
 - (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	<p>Is the Bidder or any of its Directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(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).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the Bidder or any of its Directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
4.3.1	If so, furnish particulars:		



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Item	Question	Yes	No
4.4	Was any contract between the Bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	<input type="checkbox"/>	<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



CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Standard Bidding Document (NCP) must form part of all bids¹ 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).² Collusive bidding is a *per 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 NCP 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 (NCP 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive tenders, limited tenders and proposals.

² Bid rigging (or collusive tendering) 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.



NCP 9 (7/12/11)

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 authorised 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 Consortium³ 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.

³ 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.

NCP 9 (7/12/11)

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