



# TSHWANE AUTOMOTIVE SPECIAL ECONOMIC ZONE

AFRICA'S FIRST AUTOMOTIVE CITY

REQUEST FOR PROPOSALS	
<b>RFQ Description:</b>	<b>Provision of BBBEE verification Services</b>
<b>RFQ Number:</b>	TASEZ/RFQ003/2022
<b>Closing Date:</b>	15 July 2022
<b>Closing Time:</b>	12h00
<b>RFQ Validity Period:</b>	90 Days
<b>Compulsory Briefing:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Compulsory Briefing Session Details: Date: Time: Venue:
<b>TASEZ Enquiry Details:</b>	
<b>Name:</b>	Lucia Buda
<b>Contact Numbers:</b>	012 564 3174
<b>Email Address:</b>	<a href="mailto:rfqs-rfps@tasez.co.za">rfqs-rfps@tasez.co.za</a>
<b>Delivery Address:</b>	The Procurement Officer Tshwane Automotive Special Economic Zone Automotive Supplier Park 30 Helium Road, Rosslyn Ext 2
<b>Special Note for Bidder:</b>	

<b>Bidders Name:</b>	
<b>Total Bid Price (All Inclusive)</b>	R

#### Controlled Disclosure

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## 1. Introduction

- 1.1. The Department of Trade and Industry (the dtic) in collaboration with the Gauteng Province and the City of Tshwane have established a Special Economic Zone (SEZ) in Silverton, Tshwane. Tshwane Automotive Special Economic Zone (TASEZ) was established and registered in terms of the Companies Act No 71 of 2008 to be the Operator of this SEZ and for the implementation of the construction scope with the SEZ campus. The SEZ is established for the purpose of accommodating mainly the automotive component manufacturers that will supply the Ford Motor Company. It is also aimed at offering a diversity of appropriate land uses and other economic activities.
- 1.2. TASEZ wishes to appoint a suitably qualified, appropriately registered, and experienced service provider for the verification of the Contributor Status Level of TASEZ in respect of the B-BBEE compliance.
- 1.3. The outputs of the required services shall be:
  - 1.3.1. The B-BBEE scorecard in compliance with the SANAS requirements.
  - 1.3.2. Generation of a SANAS B-BBEE Certificate confirming TASEZ's B-BBEE status and recognition level.
- 1.4. The Bidder **may be** required to subcontract 30% of the contract to the SMMEs in the TASEZ's identified Wards within the City of Pretoria. The identified wards are, **06, 15, 18, 28, 38, 41, 43, 67 and 86 in the Tshwane Municipality.**

**2. SBD 1 Form – Invitation to Bid**

**2.1. Invitation to Bid**

<b>You are Hereby Invited to Bid for Requirements of the (Name of Department/ Bidder Entity)</b>					
<b>Bid Number:</b>	TASEZ/RFQ003/2022	<b>Closing Date:</b>	15 July 2022	<b>Closing Time:</b>	12h00
<b>Description:</b>	Provision of BBBEE Verification Services				
<b>The Successful Bidder will be Required to Fill in and Sign a Written Contract Form (SBD7).</b>					

Bid Response Documents May Be Deposited in the Bid Box Situated at (Street Address):

<b>Tshwane Automotive Special Economic Zone (Main Gate)</b>					
<b>Automotive Supplier Park</b>					
<b>30 Helium Road. Rosslyn Ext 2</b>					
<b>Supplier Information</b>					
Name Of Bidder					
Postal Address					
Street Address					
Telephone Number	Code		Number		
Cellphone Number					
Facsimile Number	Code		Number		
E-Mail Address					
Vat Registration Number					
	TCS PIN:		OR	CSD No:	
B-BBEE Status Level Verification Certificate [Tick Applicable Box]	<input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE Status Level Sworn Affidavit		<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, who was the Certificate Issued by?					
An accounting officer as contemplated in the Close Corporation Act (CCA) and name the applicable in the tick box	<input type="checkbox"/>	An Accounting Officer as Contemplated in the Close Corporation Act (CCA)			
	<input type="checkbox"/>	A Verification Agency Accredited by the South African Accreditation System (SANAS)			
	<input type="checkbox"/>	A Registered Auditor Name:			
<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>					
Are you the Accredited Representative in South Africa for the Goods / Services / Works Offered?	<input type="checkbox"/> Yes <input type="checkbox"/> No [If Yes Enclose Proof]	Are you a Foreign Based Supplier for the Goods / Services / Works Offered?		<input type="checkbox"/> Yes <input type="checkbox"/> No [If Yes Answer Part B:3 Below]	
<b>Signature of Bidder</b>	.....	<b>Date</b>		.....	
Capacity under which this Bid is Signed. (Attach Proof of Authority to Sign this Bid, e.g., Resolution of Directors, etc.)					
Total Number of Items Offered		Total Bid Price (All Inclusive)		R	
<b>Bidding Procedure Enquiries may be Directed to:</b>			<b>Technical Information may be Directed to:</b>		
Department/ Bidder Entity	SCM TASEZ		Contact Person	Lucia / Hlamulo	
Telephone Number	012 564 3174		Facsimile Number	012 564 3174	
Facsimile Number	N/A		E-Mail Address	<a href="mailto:rfqs-rfps@tasez.co.za">rfqs-rfps@tasez.co.za</a>	
E-Mail Address	<a href="mailto:rfqs-rfps@tasez.co.za">rfqs-rfps@tasez.co.za</a>				

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## 2.2. Terms and Conditions for Bidding

### 2.2.1. Proprietary Information

2.2.1.1. TASEZ considers this tender and all related information, either written or verbal, which is provided to the respondent, to be proprietary to TASEZ. It shall be kept confidential by the respondent and its officers, employees, agents and representatives. The respondent shall not disclose, publish, or advertise this specification or related information to any third party without the prior written consent of TASEZ.

### 2.2.2. Enquiries and Communication

2.2.2.1. All communication and attempts to solicit information of any kind relative to this tender should be in writing and directed to: Email address: [rfqs-rfps@tasez.co.za](mailto:rfqs-rfps@tasez.co.za).

2.2.2.2. Clarification questions from Bidder will be closed **Five (5) Days** before the date of closure of the RFQ. Note that the last date for request for information pertaining to this tender will be on the **08<sup>th</sup> of July 2022**.

2.2.2.3. Bidders may not contact any other TASEZ employee besides contact person mentioned on Paragraph 2.2.2.1 above on any matter pertaining to the bid from the time when bid is advertised to the time the bid is awarded. Any effort by a bidder to influence bid evaluation, bid comparisons or bid award decisions in any manner, may result in rejection of the bid concerned.

2.2.2.4. All the documentation submitted in response to this tender must be in English.

2.2.2.5. The Bidder should check the numbers of the pages to satisfy themselves that none are missing or duplicated. No liability will be accepted by TASEZ in regard to anything arising from the fact that pages are missing or duplicated.

2.2.2.6. If the Bidder finds or reasonably believes it has found any discrepancy, ambiguity, error, or inconsistency in this RFQ or any other information provided by TASEZ (other than minor clerical matters), the Bidder must promptly notify TASEZ in writing of such discrepancy, ambiguity, error or inconsistency in order to afford TASEZ an opportunity to consider what corrective action is necessary (if any).

2.2.2.7. Any actual discrepancy, ambiguity, error, or inconsistency in the RFQ or any other information provided by TASEZ will, if possible, be corrected and provided to all Bidders without attribution to the Bidder who provided the written notice.

2.2.2.8. All persons (including Bidders) obtaining or receiving the RFQ and any other information in connection with the RFQ must keep the contents of the RFQ and

other such information confidential, and not disclose or use the information except as required for the purpose of developing a response to the RFQ.

2.2.3. Validity Period

2.2.3.1. Responses to this tender received from suppliers will be valid for a period of 120 days counted from the closing date of the tender.

2.2.4. Submission of Tenders

2.2.4.1. All submissions must be marked: "For attention: Supply Chain Management" with the RFQ Number included and hand delivered. The Tender Box is situated at the **Main Gate**. The address is: -

**The Procurement Officer**

**Tshwane Automotive Special Economic Zone**

**Automotive Supplier Park**

**30 Helium Road**

**Rosslyn Ext 2**

2.2.4.2. Bid documents shall only be considered when received on or before the closing date and time which is **15<sup>th</sup> of July 2022** at **12h00**. Late proposals will not be considered. RFQ documents will not be opened in Bidder; however, the results will be published on the TASEZ website.

2.2.4.3. Tenders should be submitted bound in a sealed envelope and Bidders are required to submit as follows: -

**2.2.4.3.1. One (1) Original**

2.2.4.3.1.1. One original of the completed RFQ document shall be placed in a sealed envelope marked: "**TASEZ/RFQ003/2022 – Provision of BBEE Consultancy Services**"

2.2.4.3.1.2. The **Closing Date and Time**, **Company Name** and the **Return Address** must also be endorsed on the envelope.

2.2.4.3.1.3. If a **Courier Service Company** is being used for delivery of the bid document, the bid description must be endorsed on the **Delivery Note / Courier Packaging** to ensure that documents are delivered into the tender box.

**2.2.4.3.2. Flash Disk**

2.2.4.3.2.1. A copy of the tender shall be scanned and saved in a flash disk that will resemble the original signed hardcopy. The flash disk must be secured in the file.

**2.2.4.3.3. Electronically Submission**

2.2.4.3.3.1. Electronic submissions are not allowed for this tender

2.2.4.4. The bids must be in the tender box by no later than **12h00** on the 15<sup>th</sup> of July 2022.

2.2.4.5. No bid received by telegram, telex, email, facsimile or similar medium will be considered. Where a tender document is not in the tender box at the time of the bid closing, such a bid document will be regarded as a late bid. Late bids will not be considered.

2.2.4.6. Amended bids may be sent, together with the original bid, in an envelope marked "Amendment to bid" and should be placed in the bid box before the closing date and time. Submission of amendment bids without also submitting an original bid document as requested will not be considered.

2.2.4.7. The bidder is responsible for all the cost that they shall incur related to the preparation and submission of the bid document.

2.2.4.8. **Bidders are required to initial each page of the RFQ document on the right-hand side at the bottom of each page.**

2.2.4.9. Bidders to note that TASEZ is entitled to amend any bid conditions, validity period, specifications, or extend the closing date of bids before the closing date. All bidders, to whom the bid documents have been issued, will be advised in writing of such amendments in good time.

2.2.4.10. TASEZ reserves that right not to accept the lowest bid of any tender in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and also financially advantageous to TASEZ.

2.2.4.11. TASEZ also reserves the right to award this bid to a purely empowerment company or may award this bid on conditions that a joint venture with an empowerment company is formed. This may be added as a request to be agreed when contracting.

2.2.4.12. TASEZ also reserves the right to award this bid as a whole or in part without furnishing reasons.



- 2.2.4.13. TASEZ reserves the right to, amongst other things, conduct unscheduled or scheduled site visit/s to satisfy itself, as to the validity of the information provided on this bid documents.
- 2.2.4.14. An incomplete price list shall render the bid non-responsive.
- 2.2.4.15. TASEZ reserves the right to review the pricing/financial proposal submitted by the bidder and make an assessment if their proposed costing is market related or not and reserves the right to negotiate or not to negotiate the with the preferred bidder or any bidder as per recommendation of the BAC. The process for negotiation will be governed by the TASEZ internal SCM processes as approved and in line with Preferential Procurement Regulation of 2017.
- 2.2.4.16. All Conditions in the Joint Building Contracts Committee (JBCC) will apply, however Special Conditions of Contract (SCC) as outlined herein will supersede other conditions. **N/A to this bid**
- 2.2.4.17. All reference to TASEZ on this bid document includes its subsidiaries who are affected by the deliverable of this bid document
- 2.2.4.18. The General Condition of Contract is part of this tender document and will be incorporated as an annexure and those will be bidding to the bidder whether they are returned and submitted with the bid response or not and will remain bidding to the bidder whether initialled or not.
- 2.2.4.19. 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 legislation or special conditions of contract.
- 2.2.4.20. None of this bid conditions are to be changed by the bidder unless agreed in writing and approved by TASEZ.
- 2.2.4.21. Bidder must register on the central supplier database (CSD) to upload mandatory information namely: (Business Registration / Directorship / Membership / Identity Numbers; Tax Compliance Status; Banking Information for verification purposes). B-BBEE Certificate or Sworn Affidavit for B-BBEE must be submitted to bidding institution.

2.2.5. Late Submission

- 2.2.5.1. Late responses to the RFQ will not be accepted.

- 2.2.5.2. All dates and times in this RFQ are in accordance with the South African standard calendar and time.
- 2.2.5.3. Any time or date in this RFQ is subject to change at TASEZ's discretion. The establishment of a time or date in this RFQ does not create an obligation on the part of TASEZ to take any action or create any right in any way for any Bidder to demand that any action be taken on the date established.
- 2.2.5.4. The Bidder accepts that, if TASEZ extends the deadline for the RFQ submission (the closing date) for any reason, the requirements of this RFQ otherwise apply equally to the extended deadline.

**2.3. SBD 2 – Tax Compliance Requirements**

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

**Tax Compliance Requirements**

- 2.3.1. Bidders must ensure compliance with their Tax obligations.
- 2.3.2. Bidders are required to submit their Unique Personal Identification Number (Pin) issued by SARS to enable TASEZ to verify the taxpayer's profile and tax status.
- 2.3.3. Application for Tax Compliance Status (TCS) Pin may be made via e-filing through the SARS website [www.sars.gov.za](http://www.sars.gov.za)
- 2.3.4. Bidders must submit a printed TCS Certificate together with the bid.
- 2.3.5. In Bids where Consortia / Joint Ventures / Sub-Contractors are involved, each party must submit a separate TCS Certificate / Pin / CSD Report.
- 2.3.6. Where no TCS Pin is available, but the Bidder is registered on the Central Supplier Database (CSD), a CSD Report must be provided.
- 2.3.7. 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."

2.4. Questionnaire to the Bidding Foreign Suppliers

Is The Bidder a Resident of the Bidder of South Africa (RSA)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the Bidder have a Branch in the RSA?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the Bidder have a Permanent Establishment in the RSA?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the Bidder have any Source of Income in the RSA?	<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 obtain a Tax Compliance Status / Tax Compliance system pin code from the South African Revenue Service (SARS) and if not register as per 2.3 above.

**NB: FAILURE TO PROVIDE 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: \_\_\_\_\_

**2.5. Compulsory Enterprise Questionnaire**

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

**Section 1: Name 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 proprietor or partnership and attach separate page if more than 3 partners*

**Section 5: Particulars of Companies and Close Corporations**

Company Registration Number: \_\_\_\_\_

Close Corporation Number: \_\_\_\_\_ Tax

Reference Number: \_\_\_\_\_

**Section 6: The attached SBD 4 must be completed for each tender and be attached as a tender requirement.**

**Section 7: The attached SBD 6.1 must be completed for each tender and be attached as a requirement.**

**Section 8: The attached SBD 8 must be completed for each tender and be attached as a requirement.**

**Section 9: The attached SBD 9 must be completed for each tender and be attached as a requirement.**

The undersigned, who warrants that he / she is duly authorized 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 Defaulters 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 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 Bidder or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- 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 \_\_\_\_\_

Date \_\_\_\_\_

Name \_\_\_\_\_

Position \_\_\_\_\_

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### **3. Scope of Work**

TASEZ is seeking to appoint a B-BBEE Consultant to perform a BBBEE verification and issue the certificate as indicated in 1.3.1 and 1.3.2 above.

#### **3.1. B-BBEE Requirements**

The consultant will be required to perform the following:

- 3.1.1. To conduct the B-BBEE audit and verify its Contributor Status Level
- 3.1.2. To present findings at a debriefing session after verification
- 3.1.3. The verification of the B-BBEE Contributor Status Level to be completed by **31 October 2022**
- 3.1.4. Completing the dtic BBBEE scorecard information
- 3.1.5. The provision of a valid B-BBEE Certificate stating the level achieved, within the agreed timeframe.

#### **3.2. Bid Proposal Format**

TASEZ requires the Service Provider to provide the Bid Proposal in the following format: -

##### **3.2.1. Detailed Approach**

Information containing the specific steps, the proposed scorecard that will be used, resources and timing associated with the approach for the delivery of the services.

##### **3.2.2. Deliverables and Turnaround Times**

This section should include a list of deliverables and the associated turnaround times that are aligned to the services required as set out in the paragraph above. TASEZ wishes for the exercise to be completed by

##### **3.2.3. Quality**

- 3.2.3.1. The proposal should provide details of the approach on how to ensure and measure a quality service delivery.
- 3.2.3.2. It should provide details of any industry – recognized quality standard (if applicable) to which it is or will become compliant (including a timeframe for compliance).

#### **3.3. Pricing Schedule**

- 3.3.1. The Bidder shall submit the Pricing Schedule as part of the Returnable Schedules.
- 3.3.2. The Bidder shall submit a cost structure in which milestones are clearly defined and priced accordingly.

#### 4. Instruction to Bidder

##### 4.1. Price Declaration Form

- 4.1.1. Please indicate your Final Total RFQ Price including VAT here:  
R \_\_\_\_\_ (compulsory).
- 4.1.2. It is mandatory to indicate the total RFQ price as requested above. This price must be the same as the total RFQ price in the pricing schedule. Should the total RFQ prices differ, the one indicated above shall be considered the correct price.
- 4.1.3. The following must be noted:
- 4.1.3.1. All prices must be VAT inclusive and must be quoted in South African Rand (ZAR).
- 4.1.3.2. All prices must be firm and fixed from the RFQ closing date and for the duration of the contract.
- 4.1.3.3. All Bidder must cost according to the costing template provided or this will lead to disqualification.
- 4.1.3.4. The cost of delivery, labour etc. must be included in the proposal.
- 4.1.3.5. Preference will be given to respondents who comply with the TASEZ's Procurement Policy & Procedures. Bidder Finance Management Act (PB-BBEEA) shall apply.
- 4.1.3.6. The Bidder must have a minimum B-BBEE status level of contributor 3 or higher.
- 4.1.3.7. As per amended construction codes, companies with less than 51% black shareholding (QSEs & Generics) are to submit a valid SANAS Accredited B-BBEE Verification Certificate (with the full applicable B-BBEE elements). QSE with at least 51% or 100% black shareholding and EMEs with an annual turnover of above R3 Million are required to submit a B-BBEE verification certificate from a SANAS accredited verification agency as they have to comply with the 40% sub-minimum requirement on the QSE Skills Scorecard to avoid being discounted a level. EMEs with a turnover of less than R3 Million are exempt from complying with the subminimum requirement and may submit an affidavit or a certificate issued by CIPC, confirming their ownership and annual turnover.
- 4.1.3.8. The empowerment and development objectives (30% SMME Involvement) will be controlled by implementing the procedure listed in 4.1.7 above, where the bidder in terms of the Amended B-BBEE Codes is a Generic Entity (Turnover of over R50 mil).
- 4.1.3.9. The appointed service provider shall sub-contract practitioners from previously disadvantaged groups (black, female, youth and people with disability) and/or



local (within NMBM) black-owned companies (with a turnover of less than R50 mil), where scope and credentials permit.

- 4.1.3.10. Proof of registration with Treasury’s Centralised Supplier Database (CSD) not older than **three (3) months** old.
- 4.1.3.11. TASEZ will only award the tender to a bidder who is tax compliant. The tax compliance status of the Bidder will be verified through CSD and SARS website via the provided pin. The prospective Bidder must ensure that they are Tax Compliant throughout the validity period of the bid in review.
- 4.1.3.12. Bidder will be evaluated on functionality and are expected to meet the minimum of **70%** threshold in order to be evaluated further. The evaluation criteria for measuring functionality and weight of each criterion are provided in the tables below.
- 4.1.3.13. Bidder’ servants are prohibited from doing any form of business with organs of state, whether in their own capacity as individuals or through companies in which they are directors. Verification will be done, and Bidder will be disqualified should they be found to be in contravention with the regulations. If the bidder has been granted permission by Treasury, the letter must be provided with the bid document.

**4.2. Tender Returnables Requirements**

Bidder shall submit all tender returnables documents as indicated in the **Table 1** below for evaluation purposes. Failure to submit these documents by the Bidder shall be regarded as non-responsive / mandatory non-performance / non-compliance and the Bidder’s submission shall be disqualified.

**4.2.1. Tender Returnables Requirements**

**Table 1: Tender Returnables Requirements to be submitted.**

Document that must be Submitted	Returnables for the RFQ
Company Registration Documents	The Bidder to submit their proof of registration with CIPC
Tax Pin	The Bidder must submit a valid Tax Pin
B-BBEE Certificate or Certified Copy <b>EME – Sworn Affidavit</b>	The Bidder must submit valid B-BBEE Certificates or Sworn Affidavits.

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Document that must be Submitted	Returnables for the RFQ
QSE – SANAS Accredited	Trusts, Consortiums or Joint Ventures (including unincorporated consortia and joint ventures) must submit as follows <ul style="list-style-type: none"> <li>- Individual B-BBEE Certificate</li> <li>- Consolidated B-BBEE Certificate for the Trust, Consortium, Joint Venture indicating the B-BBEE level for the Organisation.</li> </ul>
SBD 1 – Invitation to Bid	Fully completed and signed SBD 1 form. In case of a Joint Venture / Consortium, a separate SBD 1 form in respect of each party to the JV must be completed and submitted.
SBD 4 – Declaration of Interests	Complete & sign the supplied document. In case of a Joint Venture / Consortium, a separate declaration of interest form in respect of each party to the JV must be completed and submitted.
SBD 6.1 – Preference Points Claim Form	Preference Points Claim Form – Complete and sign the supplied document.
SBD 8 – Declaration of Bidder’s Past Supply Chain Management Practices	Fully complete & signed. In case of a Joint Venture / Consortium, a separate SBD 8 in respect of each party to the JV must be completed and submitted.
SBD 9 – Certificate of Independent Bid Determination	Fully complete & sign the supplied document
Pricing Schedule	Completed, priced and signed pricing schedule for the solution to be implemented / Pricing Schedule clearly legible with permanent ink
Bidder Experience	Bidder must provide at least 3 references for similar projects completed within the past 3 years. <b>(Bidder must provide proof in the form of Referral Letters and/or Completion Certificate issued by their client.</b>  All these must have been issued and signed by the client on the <u>client company letterheads</u> .  Contact details of the client shall be in the documents to allow TASEZ to conduct verifications or reference checks.

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Document that must be Submitted	Returnables for the RFQ
Qualifications and Experience of the Consultants	Bidders to submit detailed <b>CVs</b> and <b>Qualifications</b> of the Key Members who will be involved in the implementation of the project
SANAS Accredited B-BBEE Verification Agency	Bidders to submit proof of accreditation to SANAS for their chosen B-BBEE Verification Agency
B-BBEE Management Development Program <b>(MDP)</b>	Bidders to submit proof of the Post Graduate Programme: <b>MDP</b> , of the Key Personnel(s)
Project Implementation Plan	Bidders to submit a detailed Project Implementation Plan showing how the project will Planned, Managed, Monitored and Evaluated.

Failure to submit all the requirements as above (completed and signed including attachments), may result in submissions being deemed null and void and may be considered “non-responsive” and therefore not considered further.

Name of Bidder: \_\_\_\_\_.

Signature of Bidder: \_\_\_\_\_ Date: \_\_\_\_\_.

--

**5. Evaluation of Bids**

The bid evaluation process will consist of the following **three (3) Stages**:

**5.1. Responsiveness Assessment**

The following criteria will be used in assessing the responsiveness of bids:

**5.1.1. Stage 1 – Administrative Requirements Criteria**

This is the assessment of compliance with the minimum Administrative Requirements as detailed in **Table 2** below. No points or score will be allocated in criteria. **Non-compliance with any of these Administrative Requirements will result in disqualification.**

**Table 2: Administrative Requirements**

Description	Compliant	Non-Compliant
1) CIPC Registration Documents		
2) <u>Valid</u> Tax Clearance Certificate / Tax Pin		
3) <u>Valid</u> CSD report (Not older than three (3) months)		
4) <u>Valid</u> Letter of Good Standing issued by the Department of Labour or RMA.		
5) <u>Valid</u> B-BBEE Certificate - <b>Sworn Affidavit for EME</b> - <b>SANAS Accredited for QSE (TASEZ to verify with SANAS)</b>		
6) <b>Completed</b> and <b>Fully Signed</b> SBD 1		
7) <b>Completed</b> and <b>Fully Signed</b> SBD 4		
8) <b>Completed</b> and <b>Fully Signed</b> SBD 6.1		
9) <b>Completed</b> and <b>Fully Signed</b> SBD 8		
10) <b>Completed</b> and <b>Fully Signed</b> SBD 9		

**5.1.2. Mandatory Returnables**

The Bidder shall take note of the required returnable schedules that must be fully complied with and submitted with their tender submission. It is the responsibility of the Bidder to ensure that the information submitted is sufficient to evaluate their tender and design for the system.

**Failure to submit all mandatory requirements** will result in submissions being **deemed null and void** and shall be considered **“non-responsive”** and therefore not considered further.

--

**Table 3: Mandatory Requirements**

Description	Compliant	Non-Compliant
1) SBD4 Form – Declaration of interest.		
2) <u>Valid</u> Letter of Good Standing issued by the Department of Labour or RMA.		

**5.1.3. Stage 2 – Technical / Functionality Evaluation**

Only bids that comply with the indicated Mandatory Administrative Requirements will be considered for the Technical / Functional Evaluation Stage.

The Technical / Functional Evaluation criteria for this bid is indicated in tables below including the scoring system and weight allocation that will be used for the evaluation of the bids. Bidder are required to achieve a minimum of **70 points** out of **100 points** to proceed to **Stage 3** (Price and B- BBEE).

**5.1.3.1. Company Experience**

**Table 4: Company Experience**

Company Experience	No. of Letters	Points Claimed
Reference or Testimonial letters issued by the Bidder' previous client for B-BBEE Consultancy Services, completed on the referees Company's Letterhead. The letters should have contactable references. Service should have been completed within the past <b>5 years</b> .  Each letter/s must meet ALL of the following requirements in order to be accepted for evaluation. The reference letter must: 1. Be on client's company's letterhead 2. Be signed by an authorised client representative 3. Stipulate the client contact details (name and phone number/email)	5 References Letters	20
	4 References Letters	14
	1 – 3 References Letters	7

Company Experience	No. of Letters	Points Claimed
4. Stipulate the detailed description of actual services provided 5. Stipulate the contract period  Letters that do not meet all of the above requirements will be automatically disqualified.	0 References Letters	0
<b>Total Points Claimable</b>		<b>20</b>

5.1.3.2. **Company Key Personnel Experience**

The Bidder must submit proof of Key Personnel Experience in the form of CVs of the personnel. **The personnel should have been employed by the Bidder for at least 3 years.**

**Table 5: CV of Account / Project Manager**

Personnel Experience	Level of Details	Points Claimed
Detailed Curriculum Vitae with a minimum experience as an Account / Project Manager of 05 years in the B-BBEE space.	5 Years	15
	3 – 4 Years	10
The Manager must demonstrate a very sound understanding of B-BBEE and the technical requirements.	1 – 2 Years	5
	0 Years	0
<b>Total Points Claimable</b>		<b>15</b>

**Table 6: CV of HR manager/ Consultant / Specialist**

Personnel Experience	Level of Details	Points Claimed
Detailed Curriculum Vitae with a minimum experience of 05 years working experience and demonstrable understanding the B-BBEE management.	5 Years	8
	3 – 4 Years	5
It is expected that the resource should have knowledge of generally accepted HR Practices, Skill Development Verification, etc.	1 – 2 Years	3
	0 Years	0
<b>Total Points Claimable</b>		<b>8</b>

**Table 7: CV of Procurement Manager / Consultant / Specialist**

Personnel Experience	Level of Details	Points Claimed
Detailed Curriculum Vitae with a minimum experience as a Procurement Manager / Consultant / Specialist of 5 years.	5 Years	8
	3 – 4 Years	5
	1 – 2 Years	3
The resource must demonstrate a very sound understanding of B-BBEE and the technical requirements.	0 – Years	0
	<b>Total Points Claimable</b>	

5.1.3.3. **Company Key Personnel Qualifications**

The Bidder must submit proof of Key Personnel Qualifications in the form of **Certified** copies of Certificates.

**Table 8: Qualifications of the Account / Project Manager**

Personnel Qualifications	Level of Details	Points Claimed
The personnel shall have all the listed qualifications below:  1. Degree / National Diploma in Financial Management / Business administration / Human Resource.	All Requirements Met	15
	Degree / National Diploma	7
	No Submission	0
<b>Total Points Claimable</b>		<b>15</b>

**Table 9: Qualifications of the HR Manager / Consultant / Specialist**

Personnel Qualifications	Level of Details	Points Claimed
The personnel shall have all the listed qualifications below:  1. Degree / National Diploma in Business administration / Human Resource.	Degree / National Diploma	7
	No Submission	0
<b>Total Points Claimable</b>		<b>7</b>

**Table 10: Qualifications of the Procurement Manager / Consultant / Specialist**

Personnel Qualifications	Level of Details	Points Claimed
The personnel shall have all the listed qualifications below:  1. Degree / National Diploma in Business administration / Supply Chain Management.	Degree / National Diploma + MDP	7
	No Submission	0
<b>Total Points Claimable</b>		<b>7</b>

**Table 11: Project Implementation / Management Plan**

Response Plan	Level of Details	Points Claimed
Bidders must submit a draft Project Execution Methodology that is specific to this scope of works for evaluation. The methodology must address the lifecycle of the project from project planning, implementation and verification.  Bidders must indicate in their plan, a clear understanding on how to set up an B-BBEE service in a new organisation and how they will ensure continuous improvements throughout the lifecycle of the project.	Good understanding of what is required in the terms of reference and proposed plan and provided a sound integrated management system for the SEZ.	20
	Satisfactory understanding of what is required in the terms of reference and proposed plan	12
	Poor understanding of what is required in the terms of reference and proposed plan	5
	No response or plan does not address the scope of work	0
<b>Points Claimable</b>		<b>20</b>

The minimum threshold points for functionality is 70 points out of 100 points and any bidder scoring less than 70 points will not be considered for further evaluation. Bidder to address and respond to all areas of the evaluation criteria. Any bid scoring less than the Minimum required in any one or more of the above-mentioned evaluation criteria will not be evaluated further.

Any bid not covering all of the above will not be evaluated. For purpose of comparison and in order to ensure a meaningful evaluation, Service Providers



are requested to furnish detailed information in substantiation of compliance to the evaluation criteria mentioned above.

5.1.4. **Stage 3 – Price and B-BBEE**

Bidder must fully complete the Pricing Schedule in **Table 12** below. The bid will be evaluated on the 80/20 principle. Risk assessment will be conducted on the top **three (3)** Bidder using the Bidder' audited financial statement. Bidder to submit 3 years audited financial statements.

**6. Duration of the Contract**

The contract shall be **for a period of 3 months or as soon as the service provider has concluded the process and issued a B-BBEE Certificate as required.** Bidder to indicate their duration in the proposal.

**7. Pricing Schedule**

**Note to the bidder:** The bidder must adhere to the South African Facilities Management Association (SAB-BBEEA) minimum industry benchmark for pricing of similar services. The bidder must complete the information set in the **Cost Schedule on Table 12 below**. If the bidder requires more space than is provided, the bidder must prepare a document in substantially the same format setting out all the information referred **per Table 12**.

TASEZ will not be held responsible for any items that may have been left out of the costing model. It is the expectation that the bidder will expand on the items described in the Scope of Works in Section 3.

Bidder must complete the Pricing Schedule for all resources included. The bid will be evaluated on the 80/20 principle.

**Table 12: Price Schedule**

Description	Total Cost Per Month	Overall Total
B-BBEE Consultancy as per Scope		
B-BBEE Verification by a SANAS Accredited Verification Agency		
Disbursements (Please Indicate if any)		
<b>Total</b>	R	R
<b>Add Vat</b>		
<b>Total Including VAT</b>		

**The cost must include all required equipment for the 3-year period.**

**The costs will be fixed for the three (3) years and the Bidder is encouraged to consider all factors that may affect the price during the period.**

Bidder Name: \_\_\_\_\_

Price Offer for the three (3): \_\_\_\_\_

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**8. Form of Offer and Acceptance**

<b>Project Title</b>	<b>Provision of B-BBEE Consultancy Services</b>
<b>RFQ Number</b>	<b>TASEZ/RFQ003/2022</b>

**8.1. OFFER**

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of:

.....

.....

.....

The Bidder, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of tender.

By the representative of the Bidder, deemed to be duly authorized, signing this part of this form of offer and acceptance, the Bidder offers to perform all of the obligations and liabilities of the B-BBEE Consultant under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

**THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS**

.....

.....

.....

..... **Rand (in words).**

**R**..... (in figures) (or other suitable wording).

This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the Bidder before the end of the period of validity stated in the tender data, whereupon the Bidder becomes the party named as the B-BBEE Consultant in the conditions of contract identified in the contract data.

--

Signature: .....  
Name: .....  
Capacity: .....  
**for the**  
**Bidder** .....

(Name and Address of Organisation)

Name and Signature  
of Witness ..... Date .....

**8.2. ACCEPTANCE**

By signing this part of this form of offer and acceptance, the employer identified below accepts the Bidder’s offer. In consideration thereof, the employer shall pay the B-BBEE Consultant the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the Bidder’s offer shall form an agreement between the employer and the Bidder upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract, are contained in:

8.2.1. Part 3 – Scope of work.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the returnable schedules as well as any changes to the terms of the offer agreed by the Bidder and the employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this form of offer and acceptance. No amendments to or deviations from said documents are valid unless contained in this schedule. The Bidder shall within 3 weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the employer’s agent (whose details are given in the contract data) to arrange the delivery of any securities, bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the Bidder receives one fully completed original copy of this document, including the schedule of

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deviations (if any). Unless the Bidder (now B-BBEE Consultant) within five working days of the date of such receipt notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.<sup>1</sup>

Signature: .....  
Name: .....  
Capacity: .....  
**for the**  
**Employer:** .....  
.....  
.....

(Name and address of organization)

Name and Signature  
of Witness ..... Date .....

**8.3. SCHEDULE OF DEVIATIONS**

Subject: .....  
Details: .....  
.....

Subject: .....  
Details: .....  
.....

Subject: .....  
Details: .....  
.....

Subject: .....  
Details: .....  
.....

By the duly authorised representatives signing this agreement, the employer and the Bidder agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the tender schedules, as well as any

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confirmation, clarification or changes to the terms of the offer agreed by the Bidder and the employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender/ quotation documents and the receipt by the Bidder of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.

<sup>1</sup>As an alternative, the following wording may be used:

*Notwithstanding anything contained herein, this agreement comes into effect two working days after the submission by the employer of one fully completed original copy of this document including the schedule of deviations (if any), to a courier-to-*

*counter delivery / counter-to-counter delivery / door-to-counter delivery /door-to-door delivery /courier service (delete that*

*which is not applicable), provided that the employer notifies the Bidder of the tracking number within 24 hours of such submission. Unless the Bidder (now B-BBEE Consultant) within seven working days of the date of such submission notifies the*

*employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties*

--

**9. SBD 4 Form**

**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 a price quotation, advertised competitive bid, limited bid or proposal). 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 bidder or his or her representative: .....
  - 2.2. Identity Number: .....
  - 2.3. Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): .....
  - 2.4. Company Registration Number: .....
  - 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.
    - 2.6.2. <sup>1</sup>“State” means –
      - a) any national or provincial department, national or provincial Bidder entity or constitutional institution within the meaning of the Bidder 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 of provinces; or
      - e) Parliament.

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2.6.3. "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**

2.8. 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:  
.....  
.....  
.....

2.9. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the Bidder sector? **YES / NO**

2.9.1. If yes, did you attached 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.

2.9.2. 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 / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.10.1. If so, furnish particulars:  
.....  
.....  
.....

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2.11. Do you, or any person connected with the bidder, have **YES / NO**  
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?

2.11.1. If so, furnish particulars.

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

2.12. Are you, or any person connected with the bidder, **YES / NO**  
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?

2.12.1. If so, furnish particulars.

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

2.13. Do you or any of the directors / trustees / shareholders / members **YES / NO**  
of the company have any interest in any other related companies  
whether or not they are bidding for this contract?

2.13.1. If so, furnish particulars:

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

**Table 13: Full details of Directors / Trustees / Members / Shareholders.**

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number

**3. 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 in terms of paragraph 23 of the general conditions of contract should this declaration prove to be false.

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

--

**10. SBD 6.1 Form**

**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, BIDDER 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:
  - 1.1.1. the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - 1.1.2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2. Price and B-BBEE Points
  - 1.2.1. If the value of this bid does not exceed **R50 000 000.00** (all applicable taxes included), the **80/20** preference point system shall be applicable; or
  - 1.2.2. If the value of this bid exceeds **R50 000 000.00** (all applicable taxes included), the **90/10** preference point system will be applicable.
- 1.3. Points for this bid shall be awarded for:
  - 1.3.1. Price; and
  - 1.3.2. B-BBEE Status Level of Contributor.
- 1.4. The maximum points for this bid are allocated as follows:

**Table 14: Price and B-BBEE Points Allocations**

Description	Points
Price	
B-BBEE Status Level of Contributor	
<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**

- 2.1. "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.2. "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;
- 2.3. "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;
- 2.4. "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.5. "EME" means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad- Based Black Economic Empowerment Act;
- 2.6. "functionality" means the ability of a Bidder to provide goods or services in accordance with specifications as set out in the tender documents.
- 2.7. "Prices" includes all applicable taxes less all unconditional discounts;
- 2.8. "Proof of B-BBEE status level of contributor" means:
  - 2.8.1. B-BBEE Status level certificate issued by an authorized body or person;
  - 2.8.2. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 2.8.3. Any other requirement prescribed in terms of the B-BBEE Act;
- 2.9. "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;

2.10. “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:

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

Where

- P<sub>s</sub> = Points scored for price of bid under consideration
- P<sub>t</sub> = Price of bid under consideration
- P<sub>min</sub> = Price of lowest acceptable bid

**4. Points Awarded for B-BBEE Status Level of Contributor**

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

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:

**5. Bid Declaration**

5.1. Bidder who claims points in respect of B-BBEE Status Level of Contribution must complete the following:

**B-BBEE Status Level of Contributor Claimed in Terms of Paragraphs 5.**

- 5.2. B-BBEE Status Level of Contributor: \_\_\_\_ . \_\_\_\_ = \_\_\_\_\_ (maximum of 10 or 20 points)
- 5.3. (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**6. Sub-Contracting**

6.1. Will any portion of the contract be sub-contracted? (Tick applicable box)

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

6.1.1. If yes, indicate:

- 6.1.1.1. What percentage of the contract will be sub-contracted ..... **30** ..... %
- 6.1.1.2. The name of the sub-contractor .....
- 6.1.1.3. The B-BBEE status level of the sub-contractor .....
- 6.1.1.4. Whether the sub-contractor is an EME or QSE

*(Tick applicable box)*

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

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

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME</b>	<b>QSE</b>
	<b>√</b>	<b>√</b>
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		

**7. Declaration with Regard to Company / Firm**

7.1. Name of Company / Firm: .....

7.2. VAT Registration Number: .....

7.3. Company Registration Number: .....

7.4. Type of Company / Firm

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

**[TICK APPLICABLE BOX]**

7.5. Describe Principal Business Activities

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

7.6. Company Classification

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

**[TICK APPLICABLE BOX]**

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

7.8. 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

7.9. 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

--

- 7.9.1. The information furnished is true and correct;
- 7.9.2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- 7.9.3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs
- 7.9.4. 1.4 and 6.1, the B-BBEE Consultant may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- 7.9.5. 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 –
  - 7.9.5.1. disqualify the person from the bidding process;
  - 7.9.5.2. recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
  - 7.9.5.3. 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;
  - 7.9.5.4. recommend that the bidder or B-BBEE Consultant, 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
  - 7.9.5.5. forward the matter for criminal prosecution.

**Witnesses**

<p>1. _____</p> <p>2. _____</p>	<p>_____</p> <p style="text-align: center;"><b>Signature</b></p> <p><b>Date:</b> _____</p> <p><b>Address:</b> _____</p> <p>_____</p>
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**11. SBD 8 Form**

**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 –
  - 3.1. abused the institution’s supply chain management system;
  - 3.2. committed fraud or any other improper conduct in relation to such system; or
  - 3.3. 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 of Restricted Suppliers as companies or persons prohibited from doing business with the Bidder sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).  The Database of Restricted Suppliers now resides on the National Treasury’s website( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) and can be accessed by clicking on its link at the bottom of the home page.	Yes	No
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)? The Register for Tender Defaulters can be accessed on the National Treasury’s website ( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) by clicking on its link at the bottom of the home page.	Yes	No
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 ReBidder of South Africa) for fraud or corruption during the past five years?	Yes	No
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	No
4.4.1	If so, furnish particulars:		

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**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

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**12. SBD 9 Form**

**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:
  - 3.1. 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.
  - 3.2. 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.

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**Certificate of Independent Bid Determination**

I, the undersigned, in submitting the accompanying bid: **TASEZ/RFQ003/2022**

**Provision of B-BBEE Consultancy Services**

**(Bid Number and Description)**

in response to the invitation for the bid made by:

**Tshwane Automotive Special Economic Zone (TASEZ)**

**(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:
  - 5.1. has been requested to submit a bid in response to this bid invitation
  - 5.2. could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - 5.3. 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:

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- 7.1. prices
  - 7.2. geographical area where product or service will be rendered (market allocation)
  - 7.3. methods, factors or formulas used to calculate prices
  - 7.4. the intention or decision to submit or not to submit, a bid
  - 7.5. the submission of a bid which does not meet the specifications and conditions of the bid; or
  - 7.6. 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 Bidder 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

<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.

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### **13. Service Level Agreement**

1. Upon award TASEZ and the successful Bidder will conclude a Service Level Agreement (SLA) regulating the specific terms and conditions applicable to the services being procured by TASEZ.
2. TASEZ reserves the right to accept or reject any or all amendments or additions proposed by a Bidder if such amendments or additions are unacceptable to TASEZ or pose a risk to the organisation.

### **14. Special Conditions of this RFQ**

1. Bidder to take note that the award of the RFQ may be subject to price negotiation with the preferred bidder and that this bid is subject to the PP Regulations of 1 April 2017.
2. Additionally, Regulation 13 (c) of the Bidder Service Regulations 2016 determines that an employee shall not conduct business with an organ of state or be a director of a Bidder or private company conducting business with an organ of state unless such employee is in an official capacity a director of a company listed in schedule 2 and 3 of the Bidder Finance Management Act.
3. As this regulation prohibits Bidder service employees from conducting business with an organ of state; either in a personal capacity or as a director of a private or Bidder company, non-compliance with this regulation will lead to automatic disqualification of a bid.
4. The TASEZ will not pay commission to the successful bidder regardless of the subcontracting conditions.
5. The TASEZ reserves the right – without prejudice and limitations to its any other rights and privileges in law:
  - 5.1. Not to appoint a Bidder and is also not obliged to provide reasons for the rejections of any proposal;
  - 5.2. To request further information from any Bidder after the closing date, for clarity purposes;
  - 5.3. To carry out site inspections, product evaluations or explanatory meetings to verify the nature and quality of the services offered by the Bidder, whether before or after adjudication of the responses received;
  - 5.4. To correct any mistakes at any stage of the RFQ process that may have been in the RFQ documents or occurred at any stage of the RFQ process;
  - 5.5. To award this RFQ to a bidder that did not score the highest total number of points, only in accordance with section 2(1)(f) of the PPPFA (Act 5 of 2000);

- 5.6. To negotiate with one or more preferred bidder(s) identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other bidder(s) who has not been awarded the status of the preferred bidder(s);
- 5.7. To accept part of a RFQ rather than the whole RFQ;
- 5.8. To correct any mistakes at any stage of the RFQ that may have been in the RFQ documents or occurred at any stage of the RFQ process;
- 5.9. To cancel and/or terminate the RFQ process at any stage, including after the Closing Date and/or after quotations have been evaluated and/or after the preferred bidder(s) have been notified of their status as such; and
- 5.10. Award to multiple Bidder based justifiable reasons including but not limited to the bidder's expertise, the complexity of the scope per bidder, any on the bidder's size and TASEZ's geographic consideration.

#### **15. Misrepresentation During the Lifecycle of the Contract**

1. The Bidder should note that the terms of its proposal will be incorporated in the proposed contract by reference and that TASEZ relies upon the Bidder's response as a material representation in making an award to a successful Bidder and in concluding an agreement with the Bidder.
2. It follows therefore that misrepresentations in the proposal may give rise to service termination and a claim by TASEZ against the Bidder notwithstanding the conclusion of the Service Level Agreement (SLA) between TASEZ and the Bidder for the provision of the service in question.
3. In the event of a conflict between the Bidder's proposal and the SLA concluded between the parties, the SLA will prevail.

#### **16. Preparation Costs**

1. The Bidder will bear all its costs in preparing, submitting, and presenting any response to this RFQ and all other costs incurred by it throughout the RFQ process.
2. Furthermore, no statement in this RFQ will be construed as placing TASEZ or its employees under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the Bidder in the preparation of their response to this RFQ.

### **17. Indemnity**

If a Bidder breaches the conditions of this RFQ and, as a result of that breach, TASEZ incurs costs or damages (including, without limitation, the cost of any investigations, procedural impairment, repetition of all or part of the RFQ process and/or enforcement of intellectual property rights or confidentiality obligations), then the Bidder indemnifies and holds TASEZ harmless from any and all such costs which TASEZ may incur and for any damages or losses TASEZ may suffer.

### **18. Precedence**

This document will prevail over any information provided whether oral or written, unless such written information provided, expressly amends this document by reference.

### **19. Limitation of Liability**

A Bidder participates in this RFQ process entirely at its own risk and cost. TASEZ shall not be liable to compensate a Bidder on any grounds whatsoever for any costs incurred or any damages suffered because of the Bidder' participation in this RFQ process.

### **20. Tax Compliance**

1. It is essential to ensure that persons conducting business with the State are tax compliant at the time of awarding of price proposals or competitive bids. No price quotations or competitive bids shall be awarded to businesses or persons who are not tax compliant.
2. The successful Bidder will be notified of their non-compliance statutes in writing and will have seven (7) working days to submit written proof from SARS of their tax compliance status or proof that they have made an arrangement to meet their outstanding tax obligations. The Bidder should thereafter provide the procurement officer with proof of their tax compliance status which will be verified by the procurement office via the CSD.
3. TASEZ reserves the right to withdraw an award made, or cancel a contract concluded with a successful Bidder if it is established that such Bidder has submitted a fraudulent Tax Clearance Certificate to TASEZ, or whose verification against the Central Supplier Database (CSD) proves non-compliant.
4. TASEZ further reserves the right to cancel a contract with a successful Bidder if such Bidder do not remain tax compliant for the full term of the contract.



## **21. RFQ Defaulters and Restricted Suppliers**

1. No contract shall be awarded to a Bidder whose name (or any of its members, directors, partners or trustees) appear on the Register of RFQ Defaulters kept by National Treasury, or who have been placed on National Treasury's List of Restricted Suppliers.
2. TASEZ reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a Bidder has been blacklisted with National Treasury by another government institution.

## **22. Governing Law**

South African law governs this RFQ and the RFQ response process. The Bidder agrees to submit to the exclusive jurisdiction of the South African courts in any dispute of any kind that may arise out of or in connection with the subject matter of this RFQ, the RFQ itself and all processes associated with the RFQ.

## **23. Confidentiality**

1. Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this RFQ will be disclosed by any Bidder or other person not officially involved with TASEZ's examination and evaluation.
2. No part of the RFQ may be distributed, reproduced, stored, or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a response. This RFQ and any other documents supplied by TASEZ remain proprietary to TASEZ and must be promptly returned to TASEZ upon request together with all copies, electronic versions, excerpts, or summaries thereof or work derived there from.
3. Throughout this RFQ process and thereafter, Bidder must secure TASEZ's written approval prior to the release of any information that pertains to the
4. potential work or activities to which this RFQ relates; or
5. the process which follows this RFQ.
6. Failure to adhere to this requirement may result in disqualification from the RFQ process and civil action.

## **24. Legislative Frameworks of the RFQ**

1. As TASEZ is established within the laws associated with all other SEZ's under the dtic's SEZ Programme, its development, management and operations have (as a minimum) to comply with the requisite and relevant provisions of the SA Constitution (41(1)h & 288), the PB-BBEEA (49(3)), Treasury Regulations (16A6.5 & 16A6.6), the FIDPM Note 3 of 2019/2020 and the IDMS. Additionally, TASEZ must comply with the following:

### 1.1. Tax Legislation

- 1.1.1. It is a condition of this RFQ that the tax matters of the successful Bidder are in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the Bidder' tax obligations.
- 1.1.2. The tax compliance status requirements are also applicable to foreign Bidder/ individuals who respond to the RFQ.
- 1.1.3. It is a requirement that Bidder grant written confirmation when submitting their response that SARS may on an ongoing basis during the tenure of the contract disclose the Bidder' tax compliance status and by submitting a response to this RFQ such confirmation is deemed to have been granted.
- 1.1.4. Bidder are required to be registered on the Central Supplier Database and TASEZ shall verify the Bidder' tax compliance status through the Central Supplier Database.

### 1.2. Procurement Legislation

- 1.2.1. TASEZ has a detailed evaluation methodology premised on Treasury Regulation 16A3 promulgated under Section 76 of the Bidder Finance Management Act, 1999 (Act, No. 1 of 1999), the Preferential Procurement Policy Framework Act 2000 (Act, No.5 of 2000) and the Broad-Based Black Economic Empowerment Act, 2003 (Act, No. 53 of 2003).

## 25. Supplier Due Diligence

TASEZ reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include site visits and requests for additional information.

## 26. Requirements After Award

The following process will be followed **Two Weeks (14 Days)** after contract award: -

1. Kick Off Meeting
2. Submission of the following Documents before commencement of the works
  - 2.1. Qualification of Key Personnel if changed from the bid submission.