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| TOURISM KWAZULU-NATAL INVITES ELIGIBLE SERVICE PROVIDERS TO SUBMIT A WRITTEN QUOTATION FOR THE GOODS/SERVICES REQUIRED AS STIPULATED IN THIS REQUEST FOR QUOTATION | |
| REQUEST FOR QUOTATION | |
| REQUISITION NUMBER | 10892 |
| DESCRIPTION | REQUEST FOR QUOTATION FOR A TOUR OPERATOR (EUROPE AFRICA'S TRAVEL INDABA PRE AND POST TOURS) |
| CLOSING DATE AND TIME | 29 APRIL 2024 @ 16H00 |
| CSD No. | <hr/> |
| SUBMISSION DETAILS | Email Submission: quotes@zulu.org.za OR Hand Delivery: Tourism KwaZulu-Natal 2 nd floor, Ithala Trade Centre Building, 29 CanalQuay, Point, Durban (Document must be inserted into the <u>Bid Box</u>) <i>Late submissions will not be accepted</i> |
| SCM ENQUIRIES | Contact: Kiara Mohan Tel / Email: 031 366 7563 Kiara@zulu.org.za |
| TECHNICAL ENQUIRIES | Contact: Reggie Sithole/ Keith Matthews Tel / Email: 031 366 7524 Reggie@zulu.org.za 031 366 7523 Keith@zulu.org.za |

NAME OF BIDDER.....

**PART A
INVITATION TO BID**

| | | | | | |
|--|--|-----------------------------|--|--|--|
| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF TOURISM KWAZULU-NATAL (TKZN) | | | | | |
| BID NUMBER: | | CLOSING DATE: 29 April 2024 | | CLOSING TIME: | 16h00 |
| DESCRIPTION | | | | | |
| BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS) | | | | | |
| 2nd Floor, Ithala Trade Centre Building | | | | | |
| 29 Canal Quay Road | | | | | |
| Point Waterfront | | | | | |
| Durban | | | | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO | | | TECHNICAL ENQUIRIES MAY BE DIRECTED TO: | | |
| CONTACT PERSON | | | CONTACT PERSON | | |
| TELEPHONE NUMBER | | | TELEPHONE NUMBER | | |
| FACSIMILE NUMBER | | | FACSIMILE NUMBER | | |
| E-MAIL ADDRESS | | | E-MAIL ADDRESS | | |
| SUPPLIER INFORMATION | | | | | |
| NAME OF BIDDER | | | | | |
| POSTAL ADDRESS | | | | | |
| STREET ADDRESS | | | | | |
| TELEPHONE NUMBER | CODE | | NUMBER | | |
| CELLPHONE NUMBER | | | | | |
| FACSIMILE NUMBER | CODE | | NUMBER | | |
| E-MAIL ADDRESS | | | | | |
| VAT REGISTRATION NUMBER | | | | | |
| SUPPLIER COMPLIANCE STATUS | TAX COMPLIANCE SYSTEM PIN: | | OR | CENTRAL SUPPLIER DATABASE No: | MAAA |
| <i>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?</i> | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF] | | <i>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?</i> | | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW] |
| QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS | | | | | |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW. | | | | | |

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

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

DATE:

.....

TERMS AND CONDITIONS

| 1.DESCRPTION | Yes | No | Noted | If no, indicate deviation |
|---|-----|----|-------|---------------------------|
| 1.1 Quotations must be delivered by the stipulated time to the correct address. Late quotations will not be accepted for consideration | | | | |
| 1.2 All quotations must be submitted on the official forms provided– (not to be re-typed) or online | | | | |
| 1.3 Quotations above R2000 will be evaluated based on functionality (where applicable) | | | | |
| 1.4 This quotation is subject to the Preferential Procurement Policy Framework Act 2000 and, the General Conditions of Contract (GCC) and, if applicable, any other legislation or special conditions of contract | | | | |
| 1.5 TKZN reserves the right to enter negotiations with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract. | | | | |
| 1.6 TKZN shall not be obliged to accept the lowest or any financial offer or proposal. | | | | |
| 1.7 TKZN will disregard the bid of any bidder if that bidder or any of its directors have abused the institutions supply chain management system and or committed fraud or any other improper conduct in relation to such system. | | | | |
| 1.8 TKZN will list bidders / directors in the list of restricted suppliers and they will not conduct any business with an organ of state | | | | |
| <p>1.9 Tax Compliance Requirements:</p> <p>1.9.1 Bidders must ensure compliance with their tax obligations. Bidders are required to submit their unique personal identification number (pin) issued by sars to enable the organ of state to view the taxpayer’s profile and tax status.</p> <p>1.9.2 Application for tax compliance status (tcs) or pin may also be made via e-filing. In order to use this provision, taxpayers will need to register with sars as e-filers through the website www.sars.gov.za.</p> <p>1.9.3 In quotations where consortia / joint ventures / sub-contractors are involved, each party must submit a separate proof of tcs / pin / csd number.</p> | | | | |

| | | | | |
|--|--|--|--|--|
| <p>1.9.4 Where No Tax Compliance status (TSC) or pin is availablebut the bidder is registered on the Central Supplier Database (CSD), a CSD number must be provided.</p> | | | | |
| <p>1.10 The bidder has examined the information provided in the bid documents and x sizeer to undertake the work prescribed in accordance with the requirements as set out in the bid document. The prices quoted in this bid are valid for the stipulated period. Bidder must confirm the availability of the proposed team members. The bidder confirm that this bid will remain binding upon us and may be accepted by you at any time before the expiry date</p> | | | | |
| <p>1.11 TKZN's business of conduct and ethics: 1.11.1 Relationships with customers and suppliers - To ensure that they remain objective, employees should not accept any bribes offered by any customer or supplier of TKZN, should report such offers to management and refrain from having any vested interest, financial or otherwise, with any customer or supplier.</p> | | | | |

B. ADMINISTRATIVE COMPLIANCE

| <u>2. STAGE ONE: ADMINISTRATION COMPLIANCE</u> | Yes | No | Noted | If no, indicate deviation |
|---|-----|----|-------|---------------------------|
| <p><i>All quotations duly lodged will be examined to determine compliance with bidding requirements and conditions. Quotations with obvious deviations from the requirements/conditions, will be eliminated from further adjudication.</i></p> <p>2.1 Mandatory</p> <p>Quotations will be considered compliant if the following documents have been submitted or condition met (whichever is applicable)</p> <p>2.1.1 The bidder must be registered as a vendor on the National Treasury Central Supply Database (CSD), which can be found at https://secure.csd.gov.za/ in compliance with National Treasury compliance paragraph 4.2 with instruction note 4a of 2016/2017</p> <p>2.1.2 The bidder must be in good standing with SARS and such information will be verified through Central Supply Database using SARS e-filing pin in National Treasury compliance (CSD) or u with instruction note 9 of 2017/2018 prior to the award of the bid;</p> <p>2.1.3 SBD 4 - A completed and duly signed declaration of Interest. Should a conflict of interest be declared or identified, the bid would be declared non- responsive. NB Bidder must ensure all pages are complete and all questions answered, you are to indicate not applicable (N/A) where appropriate.</p> <p>Failure to provide any mandatory information as requested above will result in the submission being deemed non-responsive.</p> | | | | |
| <p>3. <u>STAGE TWO: PRICE AND PREFERENTIAL/SPECIFIC GOALS</u> – 20 points for preference are allocated on the basis of specific goals in line with the framework set out in the PPPFA. This bid will be evaluated using the 80/20 preference point system. 80 for price and 20 for preferential/specific goals.</p> | | | | |

| | | | | |
|--|--|--|--|--|
| 3.1 Price and Preferential/Specific goals evaluation will be carried out on bidders who qualified in stage Stage 1 of the evaluation (Mandatory requirements) | | | | |
| <p>3.2 In line with Preferential Procurement Regulations 2022 and TKZN Supply Chain Management Policy, A bidder will qualify for preference points (where applicable). Bidders are required to submit the following documentation to claim points for specific goals in terms Historically Disadvantaged Individuals:</p> <p style="padding-left: 40px;">a) 100% Black Ownership- 5 points</p> <p style="padding-left: 40px;">b) 100% Black Women Ownership – 10 points</p> <p style="padding-left: 40px;">c) Enterprises Located in eThekweni – 5 points</p> <p>The following may be used as proof for claiming preference points:</p> <ul style="list-style-type: none"> • BBEE Affidavit • BBEE Certificate • CIPC • CSD Full Registration Report • SA ID document • A stamped letter from the local councillor or municipal utility bill or Lease Agreement | | | | |
| 4. ADJUDICATION OF BID | | | | |
| 4.1 The quotation shall be awarded at the sole and absolute discretion of TKZN. TKZN hereby represents that it is not obliged to award this quotation to any bidder. TKZN is entitled to retract this quotation at any time as from the date of issue. TKZN is not obliged to award this quotation to the bidder that quotes the lowest. | | | | |
| 4.2 A bidder shall be disqualified from bidding if any attempt is made either directly to solicit and/or canvass any information from any employee or agent of TKZN regarding this quotation from the date the x sizeer is submitted until the date of award of the quotation. | | | | |
| 5. Awarding of contract | | | | |
| 5.1 The TKZN Service Level Agreement will be the only contract signed by both parties and will form the basis of this contract. TKZN's standard terms and conditions will not be negotiated. | | | | |
| 5.2 TKZN reserves the right to award this quotation in full or part | | | | |

C. SPECIFICATION/ TERMS OF REFERENCE

REQUEST FOR QUOTATION FOR A TOUR OPERATOR (EUROPE AFRICA' TRAVEL INDABA 2024 PRE & POST TOURS

TERMS OF REFERENCE

1. PURPOSE OF THE TERMS OF REFERENCE

1.1 Tourism KwaZulu-Natal (TKZN) seeks proposals from interested and suitably qualified tour operators to provide ground transportation, booking for activities and provide refreshments for hosted buyers who will be attending Africa's Travel Indaba 2024.

1.2 Prospective service providers are requested to submit quotations for Conducting pre and/or post tours and the transporting of guests and their luggage as per the below.

- The different vehicles used for the tours and transfers must be comfortable, air-conditioned, clean and roadworthy.
- The respective vehicles used for the tours must be 22-seaters with trailers for the guest's luggage vehicle that we fit guest comfortable as per pax mentioned on each itinerary.
- Arrive at pick up points on time and ensure that tours are conducted in a professional manner.
- The driver must be experienced and have good knowledge of the routes in the itinerary.
- The driver must be able to navigate the travel from point to point.
- Each pre and post tour must have a knowledgeable and certified tour guide.
- The Tour operator is responsible for making the activity bookings (NB: TKZN will book the accommodation for the guests)
- Cater for refreshments and some meals during the tours (soft drinks, juice, water and snacks for the guests in the vehicle while travelling with the guests for the duration of the tour).
- The vehicles must be cleaned daily.
- The driver and guide must provide their own meals and accommodation.

2. ABOUT TOURISM KWAZULU-NATAL

The KwaZulu-Natal Tourism Authority, trading as Tourism KZN (TKZN), which operates under the name Tourism KwaZulu-Natal, is responsible for the development, promotion, and marketing of tourism into and within the province. The Authority's statement of intent and direction is drawn from the mandate vested in the organization by the KwaZulu-Natal Tourism Act, 1996 (as amended, including No. 2 of 2002).

The vision of Tourism KwaZulu-Natal is to position the province of KwaZulu-Natal as Africa's leading tourism destination, nationally and internationally. To achieve this mandate, TKZN needs to continuously increase destination's profile and ensure brand awareness in all of the province's key source markets, through stakeholder relations.

2.1. The Authority's primary objectives are to develop marketing programs/tools to accomplish the following:

- Increase arrivals into the province.
- Increase tourist spend.
- Increase length of stay of visitors.
- Increase geographic spread of visitors.
- Improving seasonality patterns
- Contribute towards transformation of the KZN Tourism industry.

2.2. To achieve these objectives, Tourism KwaZulu-Natal seeks to create tourism awareness platform through this educational Tour. As such, Tourism KZN seeks to appoint one suitable service provider to manage these tours.

2.2.1 Tour 1 PRE-INDABA ZULULAND/BATTLEFIELDS TOUR UK Buyers

| | | |
|---|---|---|
|  | | |
| Number Of :7 Tour Operator: TBC TKZN Contact: Reggie Sithole -0735416919 & Keith Matthews 0823893710 | | |
| <i>KZN Zululand & Battlefields tour</i> | | |
| Friday 10 May 2024 | | |
| 11H00 | Arrive Durban King Shaka International Airport and transfer to Babanango Game Reserve | Tour operator |
| 13h00 | Lunch at Aloe Lifestyle Lodge | Tour operator: Lunch Rate including soft drink R350 pp) |
| 13H45 | Proceed to Babanango Game Reserve | Tour operator |
| 14H30 | Check in at The Valley Lodge and embark on the afternoon game drive | Accommodation by SAT |
| 19H00 | Dinner at the lodge | |
| Saturday 11 May 2024 | | |
| 5H30 | Morning Game Drive | BGR |
| 7H00 | Breakfast | |
| 8H00 | Depart to Isandlwana for Battlefields experience and museum | Tour Operator – (Local Site Tour guide to be hired) |
| 13H00 | Lunch at Isandlwana Lodge | Tour Operator |
| 15H00 | Transfer back to Babanango | Tour operator |

| | | |
|---------------------------|---|--------------------------------|
| 16H30 | Check Inn at eMadwaleni lodge | Accommodation by SAT |
| 19H00 | Dinner at the lodge | |
| | Overnight at eMadwaleni Lodge | |
| Sunday 12 May 2024 | | |
| 6H00 | Bushwalks | BGR |
| 8H00 | Breakfast | BGR |
| 9H00 | Lesiure | BGR |
| 13H00 | Lunch at the Lodge | BGR |
| | Optional Game Drive | BGR |
| 19H00 | Dinner at the Lodge and Overnight | |
| Monday 13 May 2024 | | |
| 8H00 | Breakfast | |
| 9h30 | Check out and transfer to Ballito | Tour operator |
| 12H00 | Lunch Sala Beach House | Tour Operator. (R350pp) |
| 14H00 | Quad Biking | Tour Operator |
| 16h00 | Transfer for Durban | Tour Operator |
| | Check Inn at the Hotel (Hotel TBC) | SAT |

TOUR 2- Day Tour Southern Europe Buyers

|  | | |
|--|---|-----------------------|
| Number Of Pax: 35 Tour Operator: TBC TKZN Contact: Reggie Sithole -0735416919 & Keith Matthews 0823893710 | | |
| Culture & Heritage | | |
| Monday 13 May 2024 | | |
| TIME | ACTIVITY | RESPONSIBILITY |
| 8H00 | Pick Up at Maharani Hotel | Tour operator |
| 9H00-11H00 | Transfer to Indlondlo Cultural Village – Learn the Culture of the famous Zulu-Nation which date back to King Shaka. This Culture is about respect, togetherness, and happiness. | Tour operator |
| 12H30 | Depart for KZN Midlands – visit the Howick Falls, Nottingham Road Brewery and Mandela Capture Site. | Tour operator |
| | Depart Back to Durban- Maharani Hotel – Refresh. | Tour operator- |
| 18H30 | Transfer Signature Restaurant Umhlanga | TKZN |
| 21H00 | Transfer Back to the Hotel | Tour operator |

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| Friday 17 May 2024 | | |
|-----------------------------|---|--|
| 9H30 | Pick up From Maharani Hotel | Tour operator |
| | Depart to Karkloof Canopy-Ziplining | Tour Operator |
| 14H00 | Lunch at Yellowood Café | Tour operator Lunch rate: R350 pp |
| 15H30 | Transfer to Mandela Capture Site | Tour operator |
| 17H00 | Transfer to Brahmanhills Hotel- Check in and freshen up- | Tour operator- Accommodation By TKZN |
| 19H00 | Dinner at Brahmanhills Hotel | Dinner at R350 pp |
| Saturday 18 May 2024 | | |
| 07H00 | Breakfast and checkout | |
| 8H30 | Transfer to Qambathi Mountain Stud- | Tour operator |
| 11H00 | Horse Riding Experience | Tour Operator |
| 14H00 | Transfer to Cleopatra Mountain Farmhouse-check in | Tour operator- Accommodation paid by TKZN |
| 14H30 | Lunch at Cleopatra Mountain Farmhouse | Tour Operator |
| 16H00 | Afternoon Helicopter Ride - | Tour Operator |
| 19H00 | Dinner at Cleopatra Mountain Farmhouse - Gourmet Food by award-winning chef Richard Poynton and his team | Tour Operator Dinner at R350pp |
| | Overnight at Cleopatra | |
| Sunday 19 May 2024 | | |
| 6H30 | Packed Breakfast and check out | |
| 7H00 | Transfer to Hiking start Point- | Tour operator |
| 7H30 | Hiking to the Bushman Caves | KZN Ezemvelo |
| 12H00 | Transfer for Nambithi Private Game Reserve | Tour Operator |
| | Lunch on route | Tour Operator-R350 pp |
| 15H00 | Check in at Nambiti Private Game Reserve | Accommodation TKZN |
| 16H00 | Afternoon Game Drive | |
| 1800- 21H00 | Freshen Up and Dinner | TKZN |
| | Overnight at the Lodge | |
| Monday 20 May 2024 | | |
| 5H30 | Morning Game Drive | Nambiti |
| 10H00 | Breakfast | |
| 11H00 | Check out | |
| | Depart for OR Tambo international Airport | Transfer to JHB for buyers by SAT: |
| | Transfer to Durban | TKZN reps to be transfer by Tour operator |

3. QUOTATION SUBMISSION

Quotation must be emailed to quotes@zulu.org.za.

D. PRICING SCHEDULE

| Item no | Description | Quantity | Unit Cost | Total Price |
|----------------|----------------------------|-----------------|------------------|--------------------|
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| | Sub-Total | | | |
| | Vat | | | |
| | Total including VAT | | | |

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

| Full Name | Identity Number | Name of State institution |
|-----------|-----------------|---------------------------|
| | | |
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2.2 Do you, or any person connected with the bidder, have a relationship

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, _____ the _____ undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read, and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring.

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

SBD4

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

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

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

| | |
|-----------|----------------|
| | |
| Signature | Date |
| | |
| Position | Name of bidder |

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

| | POINTS |
|--|---------------|
| PRICE | |
| SPECIFIC GOALS | |
| Total points for Price and SPECIFIC GOALS | 100 |

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender under consideration

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$Ps = 80 \left(1 + \frac{Pt - Pmax}{Pmax} \right) \text{ or } Ps = 90 \left(1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

| The specific goals allocated points in terms of this tender | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|--|---|---|
| 100% Black Ownership | 5 points | |
| 100% Black Women Ownership | 10 points | |
| The promotion of enterprises located in the eThekweni Municipality | 5 points | |

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

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