



BID NO: WOF/01/2020

**REQUEST FOR PROPOSAL
WOF/01/2020**

**(PROVISION OF CONSULTING
ENGINEERING SERVICES TO THE VALUE-
ADDED INDUSTRIES FOR A FIXED TERM
OF THREE (3) YEARS)**

August 2020



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Agriculture, Forestry and Fisheries
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EXPANDED PUBLIC WORKS PROGRAMME



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1. PART A: INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR: PROVISION OF CONSULTING ENGINEERING SERVICES TO THE VALUE-ADDED INDUSTRIES FOR A FIXED TERM OF THREE (3) YEARS)

Bid number : WOF/01/2020
Closing time : 11:00
Closing date : 30 October 2020
Description : Consulting Engineering Services
Validity : Offer to be valid for 90 days from the closing date of the tender
Contract Duration : Three (3) years

The successful bidder will be required to sign a written Service Level Agreement (SLA).

Description of Services: Working on Fire (Pty) LTD calls for proposals for the appointment of a registered and reputable service provider to Provide Consulting Engineering and other related services to Value Added Industries for a period on three (3) years.

This bid requires proven knowledge, experience and skills related to .

Bidders must prepare a detailed proposal and quote based on the specifications outlined in Part B, as well as within the guidelines provided in the Evaluation Criteria (Part D).

Successful bidders will be required to enter a contract with the WOF

BID DOCUMENTS MUST BE HAND-DELIVERED TO WOF AND DEPOSITED INTO THE WOF TENDER BOX LOCATED WITHIN THE WOF'S OFFICES SITUATED AT:

Working on Fire building
01 Club Street
Old Nelspruit Airfield
West Acres, Nelspruit
Centurion



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No faxed or emailed bids will be accepted

Bidders must ensure that bids are delivered on or before the closing date and time, to the correct address. Late bids shall not be considered accepted for consideration.

- 1.1 Bids must be delivered between 08:00 and 16:00 (Central African Time - CAT), Mondays to Fridays, prior to the closing date, and between 08:30 and 11:00 (CAT) on the closing date.
- 1.2 **Two envelope system** will apply. Therefore technical and financial proposals must be submitted in separate sealed envelopes / packages clearly marked "Technical Proposal" and "Financial Proposal at the same time.
- 1.3 Bids will be **evaluated** in accordance with the **80/20 preference point system** contemplated in the Preferential Procurement Policy Framework Act (Act 5 of 2000).
- 1.4 **Technical proposals** will be opened at **11:30** (CAT) on the **30 October 2020**
- 1.5 **Financial Proposals** will be opened only after the technical proposals have been evaluated and only with respect to the proposals that achieve the minimum qualifying score for functionality. Subsequent to this, a list of all bidders, along with their Bid Prices only for those bids that were opened as these bids passed the technical evaluation stage, will be published on the WOF's website.
- 1.6 Bids submitted that do not comply with the following, will be considered **non-responsive**, will not be considered for evaluation:
 - 1.6.1 A bid that is not in the format prescribed.
 - 1.6.2 A bid without some or all of the required documents.
 - 1.6.3 Pricing schedules not in the required format.
 - 1.6.4 Bids without the required number of copies.
- 1.7 Furthermore, any alterations, changes, supplements to the tender document will be published on workingonfire.org
- 1.8 All bids must be submitted on the WOF official forms.



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1.9 This bid is subject to the General Conditions of Contract (GCC), as well as Special Conditions of Contract.

1.10 A **compulsory briefing (online)** will be held to present the scope and objectives of the project, as well as to address any queries. Prospective bidders must send a request via email a day before the briefing date for them to be included in the online session (via Google hangout). This presentation will take place on Friday 18 September 2020 @ **11:00**.

1.11 Only institutions / consortiums / companies / individuals that attended the compulsory briefing session will be considered for this bid. An attendance register will be kept and confirmed at the end of the session.

1.12 Schedule of important dates

DATE	ACTIVITY OR EVENT
	Publish RFP newspapers
Immediately on publication	Date RFP document available via email request. Lucky.Maimele@wofire.co.za
18 th September 2020	RFP compulsory briefing session starting at 11:00 (CAT) at the Issuing Office
30 October 2020	Submission of Bids closes at 11:00 (CAT)
30 October 2020	Opening of Technical Bid Proposals 11:30 (CAT)

1.13 Bids that do not comply with one or more aspects of this document will not be considered for evaluation.

1.14 This bid is subject to the General Conditions of Contract (GCC) as well as the Special Conditions of Contract (SCC), where the provisions of the SCC are in conflict with the GCC, the provisions of the SCC shall prevail.

1.15 The Engineering services shall commence on a date determined by the WOF and as stipulated in the Service Level Agreement to be concluded.



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- 1.16 Neither the bidder, nor any of the members of the specification, evaluation adjudication committee and / or the opening team, shall have any existing or potential conflict of interest during the course of undertaking the tendered project.
- 1.17 Any conflict of interest which can or have the potential to harm the integrity of the evaluation / research shall be explicitly disclosed by the bidder, providing detailed information on the scope and factors of such association with any or either object of the evaluation / research or any person involved in the intervention. In such cases the bidder must elaborate on how this conflict of interest would be handled by the bidder.
- 1.18 Based on the information provided by the bidder, the evaluation committee will make the final decision regarding the bidder's conflict of interest.
- 1.19 **Confidentiality:** The bid and all related information shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid. All bidders are bound by a confidentiality agreement preventing the unauthorised disclosure of any information regarding the WOF or of its activities to any other organisation or individual. The bidders may not disclose any information, documentation or products to other clients without written approval of the accounting authority or the delegated official.
- 1.20 **Intellectual Property, Inventions and Copyright:** Copyright of all documentation relating to this assignment belongs to the WOF. The successful bidders may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the person delegated. All the intellectual property rights arising from the execution of this Agreement remain with the WOF and VAI who shall be entitled to cede and assign such to the Department of Forestry, Fish and Environment (DFFE) and the service provider undertakes to honour such intellectual property rights and all future rights by keeping the know-how and all published and unpublished material confidential. If the service provider would like to use any information or data generated in terms of the services rendered, the prior written permission must be obtained from the VAI. The VAI shall own all material produced by the service provider during or as part of rendering the services.
- 1.21 Any queries regarding bidding process and technical information may be directed to:
The Supply Chain Manager
Tel. : +27 87 352 4880
Email : lucky.maimela@wofire.co.za





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2. PART B: TERMS OF REFERENCE

2.1 Introduction and Mandate

- 2.1.1 The Department of Forestry Fisheries and Environment, (DFFE) has successfully concluded the registration of its Alternative Building System (ABT) with Agrément South Africa, who is the listed public entity that regulates and evaluates the fitness for purpose of non-standardised construction products, materials and systems.
- 2.1.2 The product, Known as Biomass Insulating Concrete (BIC) had been subjected to Agrément trials and subsequently obtained certification. It is a biomass based concrete which replaces sand and stone aggregate with wood chips sourced from alien-invasive timber extracted from water catchment areas where they pose a threat to water security and biodiversity. Trials have shown that BIC is cheap, fire-proof and has superior thermal insulating and acoustic qualities when compared to conventional building materials.
- 2.1.3 The Department of Forestry, Fisheries and Environment, (DFFE) has established a pilot factory and research facility in the Western Cape through the support of Working on Fire (Pty) Ltd.
- 2.1.4 The Department, through the Value-Added Industries (VAI) programme in the Environmental Programmes (EP) Branch, is also building houses, classrooms, roads, sports fields and other structures utilizing the BIC components researched, developed and patented by the VAI programme.
- 2.1.5 Value-Added Industries requires consulting engineering services to continue with the research and development of products and processes related to BIC and technologies associated with carbon negative construction and water saving.



2.2 Scope of work

2.2.1 Business Engineering

- 2.2.1.1 The engineering consultant will be involved in business concept development looking at the large scale roll-out of BIC. . Through this process, the consultant must be able to study the current business models and develop new methods to improve productivity, efficiency, and operational cost.
- 2.2.1.2 The consultant must examine the way the Value-Added Industries' concept and operation could work. They will be required to define long term goals and engineer systems to make it more successful and to achieve overall improvements.
- 2.2.1.3 Before defining strategies, the consultant will be expected to conduct research on the programme and processes by engaging in SWOT analysis, SCB, JIT and TAC.
- 2.2.1.4 The engineering consultant will be expected to share their experiences, skills, talents and methods with the VAI project team thereby passing on skills and knowledge.

2.2.2 Project Management

- 2.2.2.1 The engineering consultant is expected to have his/her own project team and network of partners supporting Value-Added Industries project team members to ensure that projects are completed on time, to standard and within budgets.
- 2.2.2.2 Projects should be broken down into daily business activities and require solid communication within the group to achieve the desired result for the project. Below are some of the service activities that will be required to be performed by the consultant:
- 2.2.2.3 Agreeing on project objectives with the customers, clients and contractors



- 2.2.2.4 Represent Value-Added Industries in meetings with various partners, stakeholders or customers
- 2.2.2.5 Monitoring Subcontractors
- 2.2.2.6 Overseeing the accounting, costing, and billing
- 2.2.2.7 Organizing the various professionals and contractors working on projects
- 2.2.2.8 Using IT systems to keep track of people, finance and progress of projects with designated research project numbers

2.3 Structural Engineering Design

- 2.3.1 The engineering consultant must have within his capacity, a registered structural engineer.
- 2.3.2 The structural engineer will be required to provide formal engineering approval for all structures commissioned by the Project. Inspections examining the existing and new Value-Added Industries buildings is part of the process to ensure buildings are structurally sound and fit for purpose.
- 2.3.3 Besides basic designs, the structural engineer must be equipped to build structures such as houses, schools, ablution blocks etc. The Lighthouse Building System is approved for all regions of South Africa for the erection of multi-story buildings for the occupancy classes (SANS 10400: Table 1 of Regulation A (20) (1)) set out below:
 - 2.3.3.1 places of instructions (A3)
 - 2.3.3.2 moderate and low risk commercial service (B2 & B3)
 - 2.3.3.3 moderate and low risk industrial (D2 & D3)
 - 2.3.3.4 health care (E4)
 - 2.3.3.5 small shops (F2)
 - 2.3.3.6 offices, including day clinics (G1)
 - 2.3.3.7 dormitory (H2)
 - 2.3.3.8 domestic residence (semi-detached houses or row houses) (H3) and
 - 2.3.3.9 dwelling house (detached) and related outbuildings (H4).
 - 2.3.3.10 The team must work closely with architectural partners and other professionals to ensure project success.



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2.3.4 Fire Engineering

- 2.3.4.1 The engineering consultant will be appointed on a basis of having the below certifications or documents in his/her possession as many of Value-Added Industries construction buildings are required to be fireproof:
- 2.3.4.2 SANS Fire Compliance Certifications
- 2.3.4.3 Fire Plan
- 2.3.4.4 Rational Fire Installation Systems SANS10400-W
- 2.3.4.5 Quantitative Design Reviews
- 2.3.4.6 Fire rating design and estimation

2.3.5 Product and Process Equipment Design

- 2.3.5.1 The appointed engineering consultant must be in a position to support the VAI Research and Development Team in the development of identified new product offerings and to meet the fast-changing manufacturing environment. This includes the development of drawings, plans, or designs for process flow of working manufacturing methods including the most optimum way of using equipment to maximize efficiency.
- 2.3.5.2 Some of the below mentioned items are amongst just a few:
- 2.3.5.3 Concrete Composite Plant
- 2.3.5.4 Polymer Concrete Batching Plant
- 2.3.5.5 Formwork and shuttering
- 2.3.5.6 Waste Combustion furnace
- 2.3.5.7 Biomass and binder mixing machines
- 2.3.5.8 Biomass Insulated Concrete Packaging machines and systems
- 2.3.5.9 Moulds
- 2.3.5.10 Low Cost Housing - Panel and Product development
- 2.3.5.11 Roof Systems
- 2.3.5.12 Wall Systems
- 2.3.5.13 Brick & Block development
- 2.3.5.14 Pre-Manufactured Structures
- 2.3.5.15 Light Steel Frame - System Development



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2.3.6 Civil Services Engineering Design

2.3.6.1 The appointed engineering consultant must be able to perform but not limited to the below bulk services functions:

2.3.6.1.1 Sewer Reticulation

2.3.6.1.2 Potable Water

2.3.6.1.3 Storm Water

2.3.6.1.4 Rational Fire Installation Systems SANS10400-W

2.3.7 Mechanical Engineering

2.3.7.1 The appointed engineering consultant must be able to perform and not limited to the below functions:

2.3.7.1.1 Water Supply and Mechanical Ventilation

2.3.7.1.2 Quantitative Design Reviews

2.3.7.1.3 Fire Plan

2.3.7.1.4 Mechanical Engineering: Structural

2.3.8 Electrical Engineering

2.3.8.1 The appointed engineering consultant must be able to perform and not limited to the below functions :

2.3.8.1.1 Automation – PLC, SCADA, HMI, DCS Interfacing and communication systems.

2.3.8.1.2 Manufacturing – Motor control centres, Distribution boards, Control panels, PLC Control panels and Support systems.

2.3.8.1.3 Electrical drawings, operation manuals and software design layouts.

2.3.8.1.4 Solar Photo-voltaic systems.

2.3.8.1.5 Backup / standby Electrical supply.

2.3.8.1.6 The appointed consultant must be registered with the South African Institute of Electrical Engineers (SAIEE)



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2.3.9 Chemical Engineering

- 2.3.9.1 The appointed consultant must have a chemical engineering team that designs and develops processes for a diverse range of products based on market needs. Primary focus under this function will be the development of products utilising, but not limited to, biomass, biochar, biogas and urine.
- 2.3.9.2 The consultant must be equipped with a team who has several years of experience on many different projects in order to lead projects aimed at the conversion of raw and waste materials into marketable products while taking into consideration health, safety and cost implications
- 2.3.9.3 Some of the key functions, processes and/or products expected to be performed by the consultant under this category would include the below:
- 2.3.9.3.1 R&D and Commercialisation
 - 2.3.9.3.2 Polymer-based products e.g. concrete and paint
 - 2.3.9.3.3 Bio-char and activated charcoal products
 - 2.3.9.3.4 Cellulose product and process development
 - 2.3.9.3.5 Urine and biomass-based fertilizer

2.3.10 Architectural Consulting

- 2.3.10.1 Key focus is to design new buildings and structures, alterations to existing buildings or advising on the cost-effective restoration and conservation of historical structures. The team must be involved from an early stage of a building project, developing concepts, establishing budget and assessing the needs of the building and its users and the impact it has with the local environment.
- 2.3.10.2 Qualified professional architect registered with SACAAP required.
- 2.3.10.3 The team must be specialists in the science of architecture, building design and construction. They must turn concepts into reality in the pre and post construction process ensuring that an attractive, functional building performs successfully.



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2.3.10.4 The consulting team must ensure that the right materials are used and building regulations (safety files, certifications etc) are met and complied with.

2.3.10.5 Some of the below functions includes:

2.3.10.5.1 Conceptual Plans

2.3.10.5.2 Site Development Planning

2.3.10.5.3 Building Plans and Related Services

2.3.10.5.4 Approval and Certification of Plans

2.3.11 Green Building Engineering

2.3.11.1 The appointed consultant must ensure best “Green” practices wherever possible as this is one of VAI’s strategic objectives in becoming a market leader in the construction industry with its unique carbon-negative products whilst also ensuring compliance to environmental factors by attaining the most efficient, effective and sustainable result.

2.3.11.2 Some of the key functions under this category will be as per below:

2.3.11.2.1 Life Cycle Assessments for each project commissioned (LCA)

2.3.11.2.2 Materials Flow Analysis (MFA)

2.3.11.2.3 Carbon-negative product and process development

2.3.11.2.4 Alternative energy systems, developments and sustainability

2.4 Line of Reporting

The successfully appointed VAI engineering consultant will form part of the professional team, Research and Development section will report directly to the Design and Quality Manager as head of the R & D team (Design & Quality) and the WoF: VAI General Manager.



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2.5 General approach

- 2.5.1 The Value-Added Industries General Manager will be responsible for preparing and implementing the project, for selecting the consultant, awarding and subsequently administering the contract. While the specific rules and procedures to be followed for selecting consultants depend on the circumstances of the case, at least the following four major considerations should guide the policy on the selection process:
- 2.5.2 the need for high-quality services;
- 2.5.3 the need for economy and efficiency;
- 2.5.4 the need to give qualified consultants an opportunity to compete in
- 2.5.5 providing the services; and
- 2.5.6 the importance of transparency in the selection process.

2.6 Conflict of Interest

- 2.6.1 Consultants are requested to provide professional, objective and impartial advice and at all times hold the Working on Fire and Value-Added Industries' interest's paramount, without any consideration for future work and strictly avoid conflicts with other assignments or their own corporate interests.
- 2.6.2 Consultants should not be hired for any assignment that would be in conflict with their prior or current obligations to other clients, or that may place them in a position of not being able to carry out the assignment in the best interest of Value-Added Industries or Working on Fire.

2.7 Association between Consultants

- 2.7.1 Consultants may associate with each other to complement their respective areas of expertise. Such an association may be for the long term independent of any particular assignment or for a specific assignment. The association may take the form of a joint venture or a sub consultancy.



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Association with other consultants should be clearly outlined and the institutional arrangements detailed in the business proposal.

2.7.2 In case of a joint venture, all members of the joint venture should sign the contract and are jointly and severally liable for the entire assignment. Once the bid is issued, any future association in the form of joint venture or sub-consultancy among firms should be permissible only with the approval of Value-Added Industries.

2.7.3 Working on Fire and Value-Added Industries should not compel consultants to form associations with any specific firm or group of firms, but may encourage associations with the aim to enhance transfer of skills.

2.8 Promoting Government's preferential policies

2.8.1 When consultants are appointed, the prescripts of the Preferential Procurement Regulations, 2001, must be adhered to. These relate to the compulsory involvement of HDI's and the promotion of the RDP goals.

2.9 Training or transfer of knowledge and skills

2.9.1 All research projects should include a component for training or transfer of knowledge and skills in the Project Scope. The scope of each project should include the objectives and nature of the training, including details of trainers and trainees, skills to be transferred, time frames and monitoring and evaluation arrangements.



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2.9.2 Each completed and projected that is approved by Value-Added Industries should be accompanied by a written training manual for implementation that should include (but may not be limited) to:

2.9.2.1 Safe Work/Operating Procedures

2.9.2.2 Material Safety Data sheet

2.9.2.3 Material Specifications

2.9.2.4 Manufacturing/Construction Procedures

2.9.2.5 Quality Tests and Interpretation of Results

2.9.3 The cost for the training and skills transfer to VAI should be included in the consultant's contract and in the budget for the assignment.

2.10 **Contract**

2.10.1 The duration of the contract will be three (3) years from date of signature of the final negotiated contract between Working on Fire (Pty) Ltd and the successful bidder.

2.11 **Establishment of a list of approved service providers**

2.11.1 Where consultancy services are required on a recurring basis, a panel of consultants/list of approved service providers for the rendering of these services may be established.

2.11.2 These panels/lists should be established through the competitive bidding process, usually for services that are of a routine or simple nature where the scope and content of the work to be done can be described in detail.

2.12 **Evaluation of the performance of consultants**

2.12.1 Consultants should observe due diligence and prevailing standards in the performance of the assignment. Working on Fire and Value-Added Industries will evaluate the performance of consultants appointed in a fair and confidential process.



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2.12.2 In the case of repeated poor performance, the firm will be notified and provided an opportunity to explain the reasons for it and the remedial action proposed.

2.13 Important provisions

2.13.1 Each Research and Development project that is embarked on will be approved based on the Project Scope submitted to Value-Added Industries.

2.13.2 The scope should clearly state that the projected cost of the project, price for their services, capital equipment, prototype cost, monitoring and maintenance cost, in Rand.

2.13.3 Project Scopes must be submitted to Design and Development Manager and the VAI Research & Development team for evaluation and recommendation to the VAI General Manager.

2.13.4 Once a Project Scope is approved, Working on Fire: VAI will issue an official purchase order for the each project against which invoices must be submitted.

2.14 Price Adjustment.

2.14.1 To adjust the remuneration for inflation, a price adjustment provision should be included in the contract.

2.15 Professional Liability

2.15.1 The consultant is expected to carry out its assignment with due diligence and in accordance with prevailing standards of the profession.

2.15.2 The consultant's liability to Working on Fire and Value-Added Industries will be governed by the applicable law and included in the negotiated contract with the successful bidder.

2.16 Consultants role

2.16.1 When consultants receive the Research Project instruction, they should make the arrangements necessary to prepare Project Scope (for example visiting the principal of the assignment, seeking associations, collecting



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documentation, setting up the preparation team). If the consultants find any ambiguity, omission or internal contradiction in the instruction, or any feature that is unclear or that appears discriminatory or restrictive, they should seek clarification from the VAI Research & Development team, in writing.

2.16.2 Consultants should ensure that they submit a fully responsive Project Scope including all the supporting documents.

2.16.3 Noncompliance with important requirements will result in rejection of the Project Scope.

2.16.4 Once technical proposals are received and opened, consultants should not be required nor permitted to change the substance, the key staff, and so forth. Similarly, once financial proposals are received, consultants should not be required or permitted to change the quoted fee and so forth, except at the time of negotiations.

2.16.5 Consultants will be expected to travel to project sites and attend regular meetings with clients, stakeholders and funders where they may be requested to present research progress and outcomes.

2.17 **Engagement of professional service providers (consultants)**

2.17.1 Working on Fire and Value-Added Industries will adopt a fair and reasonable remuneration framework for consultants, taking into account "The Guideline on Fees for Audits done on behalf of the Auditor-General of South Africa (AGSA)" as issued by the South African Institute of Chartered Accountants (SAICA); The "Guide on Hourly Fee Rates for Consultants", as issued by the Department of Public Service and Administration (DPSA); and/or

2.17.1.1 Remuneration guidelines issued by professional service organisations or regulatory bodies, as may be relevant. The rates in the "Guideline on Fees for Audits done on behalf of the Auditor-General of South Africa (AGSA)" may be used even though the assignment may not be audit related.



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2.18 **Cost Containment Measures**

2.18.1 Consultants will be appointed on an output-specified basis, subject to a clear specification of deliverables and associated remuneration. Where consultants are appointed on a time and cost basis, this must be accompanied by regular monitoring and reporting on activities, outputs and deliverables per research project.

2.18.2 The successful consultancy contract will be inclusive of travel and subsistence disbursements in cases where Working on Fire does not directly pay for the above.

2.18.3 Value-Added Industries will ensure that appropriate monitoring and reporting requirements are set for and that penalty provisions are invoked when deemed necessary.

2.18.4 **Modifications of Contract**

2.18.5 Any granting of a substantial extension of the stipulated time for performance of a contract, agreeing to any substantial modification of the scope of the services, substituting key staff, waiving the conditions of a contract, or making any changes in the contract that would in aggregate increase the original amount of the contract by more than 15 percent, will be subject to the approval of Working on Fire (Pty) Ltd.

2.19 **Disbursements**

2.19.1 The responsibility for the implementation of the project, and therefore for the payment of consulting services under the project, rests solely with the Value-Added Industries team.

2.20 **Confidentiality**

2.20.1 The process of proposal evaluation is confidential until the contract is awarded, the successful firm has been notified and the contract negotiated and signed.

2.20.2 Confidentiality enables Working on Fire and Value-Added Industries to avoid either the reality or perception of improper interference. If, during the



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evaluation process, consultants wish to bring additional information to the notice of the Value-Added Industries team, they should do so in writing.

2.20.3 If consultants wish to raise issues or questions about the selection process, they should communicate directly in writing with the Working on Fire and Value-Added Industries in this regard. All such communications should be addressed to the General Manager of Value-Added Industries.

2.21 Debriefing

2.21.1 If after notification of award, a consultant wishes to ascertain the grounds on which its proposal was not selected, it should address its request in writing to the General Manager of Value-Added Industries. If the consultant is not satisfied with the explanation given, the consultant may refer this matter to Working on Fire (Pty) Ltd.

3. PART C: SPECIAL CONDITIONS OF CONTRACT

3.1 Guidelines on Completion

- 3.1.1 Bidders must indicate compliance or non-compliance in a paragraph in each section. Indicate compliance with the relevant bid requirements by marking the YES box and non-compliance by marking the NO box.
- 3.1.2 If the contents of the paragraph only need to be noted, please mark the NOTED box.
- 3.1.3 The bidder must clearly state if a deviation from these requirements are offered and the reason therefore.
- 3.1.4 If an explanatory note is provided, the paragraph reference must be attached as an appendix to the bid submission.
- 3.1.5 Should bidders fail to indicate agreement / compliance or otherwise, the WOF will assume that the bidder is not in compliance or agreement with the statement(s) as specified in this bid.



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3.1.6 Bids not completed in the required manner will be considered incomplete and thus rejected.

No.	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
1. GENERAL CONDITIONS OF CONTRACT					
1.1	The General Conditions of Contract must be signed.				
2. SPECIAL CONDITIONS					
2.1	During the evaluation of the bids, additional information may be requested in writing from bidders. Replies to such requests must be submitted within 5 (five) working days or as otherwise indicated. Failure to comply may lead to your bid being disregarded.				
3. BIDDERS RESPONSE					
3.1	All bidders will be required to provide a response to the Bid and submit their organisation's complete profile.				
3.2	Bidders will be held to their bids submitted.				
4. CONFIDENTIALITY					
4.1	The bid and all related information shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid.				
4.2	All bidders are bound by a confidentially agreement preventing the unauthorised disclosure of any information regarding the WOF or of its activities to any other organisation or individual. The bidders may not disclose any information, documentation or products to other clients without written approval of the accounting authority or the delegated official.				
5. INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT					
5.1	Copyright of all documentation relating				



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No.	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
	to this assignment belongs to the WOF. The successful bidders may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the person delegated.				
5.2	All the intellectual property rights arising from the execution of this Agreement remain with the VAI who shall be entitled to cede and assign such to the Department of Forestry, Fisheries and Environment (DFFE) and the service provider undertakes to honour such intellectual property rights and all future rights by keeping the know-how and all published and unpublished material confidential.				
5.3	In the event that the service provider would like to use any information or data generated in terms of the services rendered, the prior written permission must be obtained from the VAI				
5.4	The VAI shall own all material produced by the service provider during the course of or as part of rendering the services.				
5.5	Clause 6 shall survive termination of this Agreement.				
6. COST STRUCTURE & PROJECT PLAN					
	The bid price shall be based on the estimated cost of time spent and expenses incurred. In this regard, the following information shall be provided:				
6.1	The estimated time to be spent on the project, three (3) years.				
6.2	The hourly charge-out rates as set out in the "Guide on Hourly Fee Rates for Consultants" issued by the Department of Public Service and Administration (DPSA).				
6.3	The bid price for the project, inclusive of VAT.				
7. PAYMENTS					
7.1	No advance payments will be made in respect of this bid. Payments shall be made in terms of the deliverables as				



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No.	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
	agreed upon and shall be made strictly in accordance with the prescripts of the PFMA (Public Finance Management Act, 1999. Act 1 of 1999).				
7.2	The contractor shall from time to time, during the duration of the contract, invoice the VAI for the services rendered. No payment will be made to the contractor unless an invoice complying with section 20 of VAT Act No 89 of 1991 has been submitted to the WOF				
7.3	Payment shall be made into the bidder's bank account normally 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this bid is awarded).				
7.4	The contractor shall be responsible for accounting to the appropriate authorities for its Income Tax, VAT or other moneys required to be paid in terms of applicable law.				
7.5	Prices charged by the bidder for goods delivered or services rendered under the contract shall not vary from the prices quoted by the bidder, with exception of any price adjustments relating to rate of exchange or other unforeseen or incidental services (valid proof must be submitted).				
8. NON-COMPLIANCE WITH DELIVERY TERMS					
8.1	<p>The successful bidder must ensure that the work is confined to the scope as defined and agreed to.</p> <p>As soon as it becomes known to the contractor that they will not be able to deliver the goods/services within the delivery period and/or against the quoted price and/or as specified, the VAI must be given immediate written notice to this effect. The VAI reserves the right to implement remedies as provided by the law.</p>				
9. WARRANTS AND SECURITIES					



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No.	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
	The bidder warrants that:				
9.1	It is able to conclude this Agreement to the satisfaction of the WOF subject to selection as the preferred bidder.				
9.2	Although the bidder will be entitled to provide services to persons other than the VAI, the bidder shall not without the prior written consent of the VAI, be involved in any manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the contractor to provide the services.				
9.3	The successful bidder (company, directors or members shall be subjected to a security screening/ vetting process conducted by the SSA (State Security Agency) if necessary.				
9.4	In the event the successful bidder sub contracts, the sub-contractor appointed to render services in respect to this Bid may be subjected to the security screening / vetting process conducted by SSA (State Security Agency)				
10. PARTIES NOT AFFECTED BY WAIVER OR BREACHES					
10.1	The waiver (whether express or implied) by any Party of a condition of contract and/or any breach of the terms or conditions of this Agreement by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof				
10.2	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this Agreement shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this Agreement.				
11. RETENTION					
11.1	Upon completion of the project and /or termination of the agreement, the successful bidder shall on demand hand over to the WOF all				



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No.	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
	documentation, information, software, etc., without the right of retention.				
11.2	No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force and effect unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of the requirement that the agreement to amend or vary shall be in writing, shall also be in writing.				
12. COSTS					
12.1	The bidder will bear all the costs associated with the preparation of the response and no costs or expenses incurred by the bidder will be borne by the WOF.				
13. CANCELLATION OF BID					
	The WOF may, prior to the award of the bid, have the right to cancel the bid if:				
13.1	Due to changed circumstances, there is no longer a need for the service; or				
13.2	Funds are no longer available to cover the part and/or total envisaged expenditure; or				
13.3	No acceptable bids are received.				
13.4	The WOF reserves the right to withdraw this bid, to amend the term or to postpone this work by email notice to all parties who have received this RFP document or via notice published on the WOF's website.				
14. SUBMISSION OF BIDS					
14.1	Proposals must be submitted in two (2) separate, clearly marked / labelled and sealed envelopes / package as follows: I. <u>Envelope / Package 1 – Technical Proposal:</u> One (1)				



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No.	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
	<p>original plus four (2) copies of the original technical proposal and one (1) CD containing the technical proposal must be submitted as indicated below; and</p> <p>II. Envelope / Package 2 – Financial Proposal: One (1) original plus four (2) copies of the original financial proposal and one (1) CD containing the financial proposal must be submitted as indicated below.</p> <p>Both Envelopes / Packages must be hand delivered to:</p> <p>Working On Fire Building 1 Club Street Old Nelspruit Airfield West Acres Nelspruit</p> <p>NB: Bidders are to indicate on the cover of each document whether it is the original or a copy.</p> <p>Failure to submit both envelopes / packages will result in the bidder being disqualified.</p>				
14.2	<p>Bids should be in two (2) sealed envelopes / packages (as indicated in 14.1), marked with:</p> <ul style="list-style-type: none"> - Financial <u>OR</u> Technical proposal, as applicable; - Bid number (WOF/01/2020); - Bid name / description; and - The name and address of the bidder <p>Closing date and time (at 11:00 CAT)</p>				
15. LATE BIDS					
15.1	<p>Late submissions will not be accepted. A submission will be considered late if it arrived only one second after 11:00 or any time thereafter. Bids that are submitted after the closing date and time will not be accepted under any circumstances. Bidders are therefore</p>				



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No.	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
	strongly advised to ensure that bids are hand-delivered to the WOF's reception and recorded on a bid register.				
16. BRIEFING SESSION AND CLARIFICATIONS					
16.1	A compulsory briefing will be held to present the scope and objectives of the project. as well as to address any queries. This presentation will take place on 18 September 2020 at 11:00 online via google hangouts. Prospective bidders must send a request to be invited atleast a day before the briefing session. Only bidders that attended the compulsory briefing session will be considered for this bid. An attendance register will be kept and recorded during the meeting.				
16.2	Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning this bid, is to be requested in writing. From: the Supply Chain Manager The bid number should be mentioned in all correspondence.				
17. FORMAT OF BIDS					
17.1	Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their proposals should be concise, written in plain English and simply presented. Proposals must be in the same order as indicated in 17.2 and 17.3 below.				
17.2	Financial Proposal - the following documents/information must be placed in an envelope / package marked "Financial Proposal": i. Completed SBD 1 ii. Completed SBD 3.3				
17.3	Technical Proposal - the following				



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No.	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
	<p>documents/information must be placed in an envelope marked "Technical Proposal":</p> <ol style="list-style-type: none"> Response to the request for proposal; CV's of proposed project team; Three (3) Reference letters from companies for which similar services were rendered. Company profile; Completed SBD forms (excluding SBD 1 and SBD 3.3) and General Conditions of Contract (the General Conditions of Contract must be initialled on each page and signed fully and dated on the last page); <p>In summary the following information will be required under the technical proposal:</p> <ol style="list-style-type: none"> Bidders response to Parts A, B, C, and D of the RFP; <u>and</u> Bidders response to the RFP on the following aspects of Part E must only be included: <ol style="list-style-type: none"> SBD 4; SBD 6.1; SBD 7.2; SBD 8; and SBD 9. 				
18. PRESENTATIONS					
18.1	The WOF reserves the right to invite bidders for presentations before awarding the bid.				
18.2	Bidders will be given a minimum of three (3) days notification where presentation will be required.				
19. NEGOTIATION					
19.1	The WOF has the right to enter into negotiation with a prospective bidder regarding any terms and conditions, including price(s) of a proposed contract.				
19.2	Similarly, the WOF reserves the right not to select any of the prospective				



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No.	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
	bidders submitting proposals.				
19.3	The WOF shall not be obliged to accept the lowest of any quotation, offer or proposal.				
19.4	Despite preferential procurement regulations 3(4), 4(4), 5(4), 6 (4) and 8 (8) that state that only the proposal with the highest number of points may be selected, a contract may, on reasonable and justifiable grounds, be awarded to a bidder that did not score the highest number of points.				
19.5	All bidders will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in form of a service level agreement signed by the designated responsible persons of both parties. .				
19.6	Documents submitted by bidders will not be returned.				



4. PART D: PROCEDURAL REQUIREMENTS

4.1 Legal Requirements

- 4.1.1 In its procurement of goods and services, Working on Fire observes the Constitution of the Republic of South Africa 108 of 1996, Public Finance Management Act, 1999 (Act 1 of 1999) (PFMA), Broad Based Black Economic Empowerment Act, 2003 (Act 53 of 2003) (B-BBEE), Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000) (PPPFA) and all relevant statutory requirements.

4.2 Tender Submission

- 4.2.1 All prospective bidders must be registered on National Treasury's Central Supplier Database (CSD) prior to submission of bids.
- 4.2.2 Prospective bidders **must submit** the following documentation:
- 4.2.2.1 Business registration (CIPC documentation)
 - 4.2.2.2 Tax clearance certificate with a SARS pin
 - 4.2.2.3 Identity Documents of directors

4.3 Bid Evaluation, Adjudication and Final Award

- 4.3.1 Bids will be **evaluated** in accordance with the **80/20 preference point system** contemplated in the PPPFA.
- 4.3.2 The **evaluation of the bids** will be **conducted** in **four (4) phases**, namely:
- 4.3.2.1 Phase 1: Pre-qualification Stage: Administrative and Substantive Responsiveness.
 - 4.3.2.2 Phase 2: Functional evaluation in accordance with the technical specifications
 - 4.3.2.3 Phase 3: Price and B-BBEE evaluation in accordance with the PPPFA



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4.3.2.4 Phase 4: Adjudication of bid and Final Award

4.3.3 WOF will evaluate and compare only the Bids determined to be substantially responsive in Phase 1.

4.3.4 During Phase 2, WOF will conduct a detailed evaluation of the Bids in order to determine whether the Bidders' are qualified and if the functional aspects are substantially responsive to the requirements outlined in the RFP.

4.3.5 Bidders are required to quote a price and provide a breakdown of the price in the manner and detail called for in the pricing schedules, SBD 3.3.

4.3.6 WOF reserves the right to accept or reject any variation, deviation, or alternative offer. Variations, deviations, and alternative offers and other factors, which are in excess of the requirements of the Bidding documents or otherwise result in unsolicited benefits for WOF/VAI will not be taken into account in the Bid evaluation.

4.3.7 The evaluation process is broken down into four phases as follows:

4.3.7.1 **Phase 1: Pre-Qualification Stage: Administrative and Substantive Responsiveness**

- a) During Phase 1 all bids will be evaluated to ensure compliance with minimum requirements.
- b) Proposals submitted that do not comply with the following, will be considered non-responsive, will not be considered for evaluation:
 - i. A Proposal that is not in the format prescribed.
 - ii. A Proposal without some or all of the required documents.
 - iii. Pricing schedules not in the required format.
 - iv. Proposals without the required number of copies.



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- v. Failure to attend the compulsory briefing session.
 - vi. Proposals that are not submitted in two (2) separate, clearly marked/ labelled and sealed envelopes / packages as follows:
 - Envelope / Package 1 – Technical Proposal: One (1) original plus four (2) copies of the original technical proposal and one (1) CD containing the technical proposal must be submitted to WOF.
 - Envelope / Package 2 – Financial Proposal: One (1) original plus four (2) copies of the original financial proposal and one (1) CD containing the financial proposal must be submitted to WOF.
 - vii. Bidders Responses for the following returnable documents that are not initialled on every page and remain unsigned on the relevant pages:
 - General Conditions of Contract
 - Special Conditions of Contract (RFP)
- c) Ensuring that all documents have been completed and that the compulsory specified documentation have been submitted in accordance with the bid requirements.
- d) Bids that comply with the minimum requirements will advance to Phase 2 of the evaluation and bids will be regarded as non-responsive.

4.3.7.2 Phase 2: Functional Evaluation in Accordance with the Functional Requirements of the Bid

- a) All bids that advance to Phase 2 will be evaluated by a Bid Evaluation Committee to determine compliance with the functional requirements of the bid.



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- b) During Phase 2 all bids will be evaluated for functionality which will account for 100% of the functional evaluation criteria. Bidders who score 75% or higher in will qualify for further consideration Phase 3.
- c) Bidders must achieve a minimum score of 75% out of 100% in the functionality evaluation in order to advance to Phase 3.
- d) Points will therefore be awarded for Price and B-BBEE credentials at this juncture in the process for bidders that qualify for phase 3.
- e) The percentage scored for functionality shall be calculated as follows:
 - i. Each panel member shall award values for each individual criterion on a score sheet. The value scored for each criterion shall be multiplied with the specified weighting for the relevant criterion to obtain the percentage scored for the various criteria. These percentages should be added to obtain the total score.
 - ii. The percentages of each panel member shall be added together and divided by the number of panel members to establish the average percentage obtained by each individual bidder for functionality.
 - iii. The preparation costs and all expenses to do the presentation will be for the bidders' own account.

4.3.7.3 Phase 3: Awarding of Points for Price and Broad-Based Black Economic Empowerment

- a) *The bidders that have successfully progressed through* to Phase 3 will be evaluated in accordance with the 90/10 preference point system contemplated in the Preferential Procurement Policy Framework Act, 2000 and the Preferential Procurement Regulations of 2011.



- b) 80 points will be awarded for price while 20 points will be allocated for preference points for BBBEE as prescribed in the regulations.

4.3.7.4 Phase 4: Adjudication and Final Award of Bid

- a) The Bid Adjudication Committee will consider the recommendations of the evaluation committee and make the final award or recommend the preferred bidder for appointment by the Accounting Authority.
- b) The successful bidder will usually be the service provider scoring the highest number of points or it may be a lower scoring bid on justifiable grounds or no award at all.

4.3.8 **Evaluation criteria:** All qualifying bids will be evaluated for both Technical Evaluation and Presentations (Stage 1 and Stage 2 of Phase 2) in accordance with the criteria as stipulated in the table below:

The following values/ indicators will be applicable when evaluating functionality:
0 =Non-compliance, 1 = Poor; 2 = Fair; 3 = Average; 4 = Good; 5 = Excellent.

STAGE 1				
	Category			
GUIDELINES FOR CATEGORY CRITERIA	FUNCTIONALITY		Weight	Value/ Indicator Total (
30.2.3.1			20	
Technical capability, expertise, and proven experience As per business proposal and traceable	Technical capability, expertise, and proven experience (individual and/or company)	Indicator		
	Experience in the structural, chemical and/or fire engineering sector >10 years	5		
	Experience in the Green building and engineering sector	4		
	Experience in civil and/or mechanical engineering sector >10 years	3		
	Experience in the product and process	2		



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references	equipment design and engineering sector >5 years																
	Experience in project management and/or business engineering >3 years	1															
	No experience	0															
30.2.3.2 Business Proposal as per 29.1	<table><tr><th>Business Proposal</th><th>Indicator</th></tr><tr><td>Professional Business Proposal that is well formulated with detailed objectives, that addresses proposal to transfer skill to VAI</td><td>5</td></tr><tr><td>Business Proposal that contains objectives but no reference to skill transfer</td><td>4</td></tr><tr><td>Business Proposal with no objectives</td><td>3</td></tr><tr><td>Task not well understood</td><td>1</td></tr><tr><td>No Business Proposal</td><td>0</td></tr></table>		Business Proposal	Indicator	Professional Business Proposal that is well formulated with detailed objectives, that addresses proposal to transfer skill to VAI	5	Business Proposal that contains objectives but no reference to skill transfer	4	Business Proposal with no objectives	3	Task not well understood	1	No Business Proposal	0	10		
Business Proposal	Indicator																
Professional Business Proposal that is well formulated with detailed objectives, that addresses proposal to transfer skill to VAI	5																
Business Proposal that contains objectives but no reference to skill transfer	4																
Business Proposal with no objectives	3																
Task not well understood	1																
No Business Proposal	0																
30.2.3.3 Green Building Engineering	<table><tr><th>Green Building Engineering</th><th>Indicator</th></tr><tr><td>Proof of registration with Carbon Protocol SA as assessor</td><td>5</td></tr><tr><td>Reference (as per 29.3) includes Carbon-negative product and process development for all alternative energies</td><td>4</td></tr><tr><td>No reference to green building engineering</td><td>0</td></tr></table>		Green Building Engineering	Indicator	Proof of registration with Carbon Protocol SA as assessor	5	Reference (as per 29.3) includes Carbon-negative product and process development for all alternative energies	4	No reference to green building engineering	0	10						
Green Building Engineering	Indicator																
Proof of registration with Carbon Protocol SA as assessor	5																
Reference (as per 29.3) includes Carbon-negative product and process development for all alternative energies	4																
No reference to green building engineering	0																



30.2.3.4 Structural Engineering Design	<table><tr><th>Structural Engineering Design</th><th>Indicator</th></tr><tr><td>Reference (as per 29.3) includes complicated design of complex manufacturing plants/factories/multi-story malls and/or >3 story office/flat buildings</td><td>5</td></tr><tr><td>Reference (as per 29.3) includes simplified design – single storey</td><td>3</td></tr><tr><td>Reference (as per 29.3) includes ablution blocks and educational facilities</td><td>2</td></tr><tr><td>No reference to structural engineering design</td><td>0</td></tr></table>	Structural Engineering Design	Indicator	Reference (as per 29.3) includes complicated design of complex manufacturing plants/factories/multi-story malls and/or >3 story office/flat buildings	5	Reference (as per 29.3) includes simplified design – single storey	3	Reference (as per 29.3) includes ablution blocks and educational facilities	2	No reference to structural engineering design	0	10						
Structural Engineering Design	Indicator																	
Reference (as per 29.3) includes complicated design of complex manufacturing plants/factories/multi-story malls and/or >3 story office/flat buildings	5																	
Reference (as per 29.3) includes simplified design – single storey	3																	
Reference (as per 29.3) includes ablution blocks and educational facilities	2																	
No reference to structural engineering design	0																	
30.2.3.5 Qualifications of Key Personnel (Chemical Engineer only) Only the highest qualification will be considered	<table><tr><th>Chemical Engineer</th><th>Indicator</th></tr><tr><td>Registered professional chemical engineer with Engineering Council of South Africa (ECSA)</td><td>5</td></tr><tr><td>Registered professional engineering technologist with Engineering Council of South Africa (ECSA)</td><td>4</td></tr><tr><td>Registered professional certificated engineer with Engineering Council of South Africa (ECSA)</td><td>3</td></tr><tr><td>Registered professional engineering technician with Engineering Council of South Africa (ECSA)</td><td>2</td></tr><tr><td>Registered candidate engineer, candidate engineering technologist, candidate certificated engineer or candidate engineering technician with Engineering Council of South Africa (ECSA)</td><td>1</td></tr><tr><td>No registration document submitted</td><td>0</td></tr></table>	Chemical Engineer	Indicator	Registered professional chemical engineer with Engineering Council of South Africa (ECSA)	5	Registered professional engineering technologist with Engineering Council of South Africa (ECSA)	4	Registered professional certificated engineer with Engineering Council of South Africa (ECSA)	3	Registered professional engineering technician with Engineering Council of South Africa (ECSA)	2	Registered candidate engineer, candidate engineering technologist, candidate certificated engineer or candidate engineering technician with Engineering Council of South Africa (ECSA)	1	No registration document submitted	0	10		
Chemical Engineer	Indicator																	
Registered professional chemical engineer with Engineering Council of South Africa (ECSA)	5																	
Registered professional engineering technologist with Engineering Council of South Africa (ECSA)	4																	
Registered professional certificated engineer with Engineering Council of South Africa (ECSA)	3																	
Registered professional engineering technician with Engineering Council of South Africa (ECSA)	2																	
Registered candidate engineer, candidate engineering technologist, candidate certificated engineer or candidate engineering technician with Engineering Council of South Africa (ECSA)	1																	
No registration document submitted	0																	
30.2.3.6 Qualifications	<table><tr><th>Consulting Engineer</th><th>Indicator</th></tr><tr><td></td><td></td></tr></table>	Consulting Engineer	Indicator			20												
Consulting Engineer	Indicator																	



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of Key Personnel (Consulting Engineer only) Only the highest qualification will be considered	Registered professional engineer with Engineering Council of South Africa (ECSA)	5													
	Registered professional engineering technologist with Engineering Council of South Africa (ECSA)	4													
	Registered professional certificated engineer with Engineering Council of South Africa (ECSA)	3													
	Registered professional engineering technician with Engineering Council of South Africa (ECSA)	2													
	Registered candidate engineer, candidate engineering technologist, candidate certificated engineer or candidate engineering technician with Engineering Council of South Africa (ECSA)	1													
	No registration document submitted	0													
30.2.3.7 Qualifications of Key Personnel (Architects only) Only the highest qualification will be considered	<table><tr><th>Architectural Consulting</th><th>Indicator</th></tr><tr><td>One (1) Registered professional architects in the built environment with the South African Council for the Architectural Profession (SACAP) with > 5 years experience</td><td>5</td></tr><tr><td>One (1) Registered professional architects in the built environment with the South African Council for the Architectural Profession (SACAP) with < 5 years experience</td><td>4</td></tr><tr><td>Registered professional senior architectural technologist in the built environment with the South African Council for the Architectural Profession (SACAP)</td><td>3</td></tr><tr><td>Registered professional architectural technologist in the built environment with the South African Council for the</td><td>2</td></tr></table>		Architectural Consulting	Indicator	One (1) Registered professional architects in the built environment with the South African Council for the Architectural Profession (SACAP) with > 5 years experience	5	One (1) Registered professional architects in the built environment with the South African Council for the Architectural Profession (SACAP) with < 5 years experience	4	Registered professional senior architectural technologist in the built environment with the South African Council for the Architectural Profession (SACAP)	3	Registered professional architectural technologist in the built environment with the South African Council for the	2	10		
Architectural Consulting	Indicator														
One (1) Registered professional architects in the built environment with the South African Council for the Architectural Profession (SACAP) with > 5 years experience	5														
One (1) Registered professional architects in the built environment with the South African Council for the Architectural Profession (SACAP) with < 5 years experience	4														
Registered professional senior architectural technologist in the built environment with the South African Council for the Architectural Profession (SACAP)	3														
Registered professional architectural technologist in the built environment with the South African Council for the	2														



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	Architectural Profession (SACAP)				
	Registered professional architectural draughtspersons in the built environment with the South African Council for the Architectural Profession (SACAP)	1			
	No registration document submitted	0			
30.2.3.8			10		
Product and Process Equipment Design	Product and Process Equipment Design	Indicator			
	Reference (as per 29.3) includes complicated research, design, manufacturing and testing of waste recycling/combustion system	5			
	Reference (as per 29.3) includes complicated research, design, manufacturing and testing of water saving device/system	4			
	Reference (as per 29.3) includes simplified design of concrete plant/system	3			
	Reference (as per 29.3) includes simplified research, design and testing of products and processes related to the recycling industry	2			
	No product and process equipment design reference	0			
Total points on functionality			100		



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5. PART E: BIDDING DOCUMENTS (SBD FORMS)

INVITATION TO BID

SBD 1

YOU ARE HEREBY INVITED TO BID FOR **PROVISION OF CONSULTING ENGINEERING SERVICES TO VAI FOR A PERIOD OF THREE (3) YEARS**

BID NUMBER: WOF/01/2020
2020

CLOSING DATE: 30 OCTOBER

CLOSING TIME: 11:00

DESCRIPTION: Suitable and qualified service providers are hereby invited to submit a proposal for appointment to provide consulting and other related engineering services to Value Added Industries for a period of three (3) years.

This bid requires knowledge, experience and skills related engineering.

The successful bidders will be required to fill in and sign a written Contract Form (SBD 7).

BID DOCUMENTS MUST BE HAND-DELIVERED TO THE WOF's RECEPTION DESK AT THE WOF HEADQUARTERS SITUATED AT:

Working on Fire building
01 Club Street
Old Nelspruit Airfield
West Acres
Nelspruit

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

Bids must be delivered between 08:30 and 16:00 (CAT), Mondays to Fridays, prior to the closing date, and between 08:00 and 11:00 on the closing date.



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

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

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

NAME OF BIDDER:

POSTAL ADDRESS:

STREET ADDRESS:

TELEPHONE NUMBER:

CODE: _____ NUMBER: _____
CELLPHONE NUMBER: _____

FACSIMILE NUMBER:

CODE: _____ NUMBER: _____

E-MAIL ADDRESS:



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VAT REGISTRATION NUMBER:

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

YES or NO

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

YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

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

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN

ACCREDITATION SYSTEM (SANAS); OR _____ ☐

A REGISTERED AUDITOR _____ ☐

[TICK APPLICABLE BOX]

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

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

YES or NO

[IF YES ENCLOSE PROOF]

SIGNATURE OF BIDDER:

DATE: _____



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CAPACITY UNDER WHICH THIS BID IS SIGNED:

TOTAL BID PRICE: _____ **TOTAL NUMBER OF ITEMS**
OFFERED: _____

Any queries regarding bidding procedures and technical information may be directed to:

Name : Supply Chain Manager

Tel. : 087 352 4480

Email : lucky.maimele@wofire.co.za



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SBD 3.3

PRICING SCHEDULE (Professional Services)

BID FOR PROVISION OF CONSULTING ENGINEERING AND RELATED SERVICES FOR THE WORKING ON FIRE

BID NUMBER: WOF/01/2020	CLOSING DATE: 18 OCTOBER 2020
CLOSING TIME: 11:00	

OFFER TO BE VALID FOR **90** DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
------------	-------------	--

1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project

R_____

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY RATE	DAILY RATE
------------------------	-------------	------------

_____	R_____	_____
_____	R_____	_____
_____	R_____	_____
_____	R_____	_____



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**** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.**

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE, COST PER PHASE AND MAN-DAYS TO BE SPENT

_____	R_____	_____ days
_____	R_____	_____ days
_____	R_____	_____ days
_____	R_____	_____ days

- 5.1 Travel expenses (specify, for example rate/km and total km, class of air travel, etc.). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
_____	_____	_____	R_____
_____	_____	_____	R_____
_____	_____	_____	R_____
_____	_____	_____	R_____

TOTAL: R_____

- 5.2 Other expenses, for example accommodation (specify, e.g. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must



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accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
_____	_____	_____	R_____
_____	_____	_____	R_____
_____	_____	_____	R_____
_____	_____	_____	R_____
TOTAL: R_____			

6. Period required for commencement with project after acceptance of bid _____
7. Estimated man-days for completion of project _____
8. Are the rates quoted firm for the full period of contract? *YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.

***[DELETE IF NOT APPLICABLE]**

Any queries regarding bidding procedures and technical information may be directed to:

Name : Supply Chain Manager
 Tel. : 087 352 4880
 Email : lucky.maimele@wofire.co.za



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SBD 4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes 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, shareholder²):

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:



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2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state?

YES / NO

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

Name of state institution at which you or the person connected to the bidder is employed :

Position occupied in the state institution:

Any other particulars:

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?

YES / NO



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2.7.2.1 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.)

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

2.8 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

2.8.1 If so, furnish particulars:

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

YES / NO

2.9.1 If so, furnish particulars.

2.10 Are you, or any person connected with the bidder, aware of any relationship family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

YES / NO

2.10.1 If so, furnish particulars.



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2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

YES / NO

2.11.1 If so, furnish particulars:

3. Full details of directors / trustees / members / shareholders.

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

4. DECLARATION

I, THE UNDERSIGNED (NAME) _____
 CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 OF
 SBD 4 ABOVE IS CORRECT.



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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



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SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

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

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



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adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where



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Ps = Points scored for price of bid under consideration
 Pt = Price of bid under consideration
 Pmin = Price of lowest acceptable bid

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

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

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

5. BID DECLARATION

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

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

- 6.1 B-BBEE Status Level of Contributor: . =(maximum of 20 points)
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

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



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7.1.1 If yes, indicate:

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

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

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

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

- 8.1 Name of company/firm:.....
- 8.2 VAT registration number:.....
- 8.3 Company registration number:.....
- 8.4 TYPE OF COMPANY/ FIRM
- ☐ Partnership/Joint Venture / Consortium
 - ☐ One person business/sole propriety
 - ☐ Close corporation
 - ☐ Company



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☐ (Pty) Limited
 [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
☐ Supplier
☐ Professional service provider
☐ Other service providers, e.g. transporter, etc.
 [TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable



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

WITNESSES

1.

2.

.....
 SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....

SBD 7.2

CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .



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2. The following documents shall be deemed to form and be read and construed as part of this agreement:

- (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2017;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
- (ii) General Conditions of Contract; and
- (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

WITNESSES

1

2

DATE:.....



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NAME OF FIRM

DATE

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

- I..... in my capacity as..... accept your bid under reference numberdated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
- An official order indicating service delivery instructions is forthcoming.
- I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (IF APPLICABLE)

- I confirm that I am duly authorised to sign this contract.



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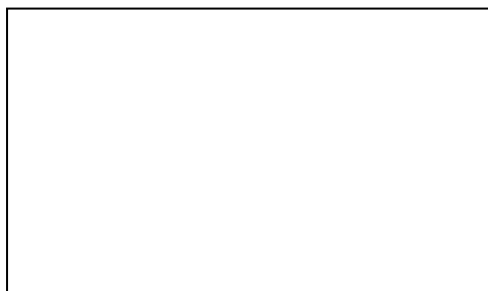


SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP



WITNESSES

1

2

DATE:.....

SBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
------	----------	-----	----



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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 public 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 audi alteram partem rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION

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



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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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EXPANDED PUBLIC WORKS PROGRAMME

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Standard Bidding Document (SBD) must form part of all bids¹ invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a pe se prohibition meaning that it cannot be justified under any grounds.
3. Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
4. This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:



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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:
(Name of Bidder)

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



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business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

 Signature

 Date

 Position

 Name of bidder



Environmental Affairs
 Agriculture, Forestry and Fisheries
 Co-operative Governance
 Water and Sanitation



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



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GENERAL CONDITIONS OF CONTRACT

Refer to Annexure A



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