**REQUEST FOR QUOTATION**

**YOU ARE HEREBY INVITED TO SUBMIT QUOTATIONS FOR THE REQUIREMENTS OF THE DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED**

<table>
<thead>
<tr>
<th><strong>BID NUMBER:</strong></th>
<th>RFQ022/2021</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RFQ ISSUE DATE:</strong></td>
<td>19 February 2021</td>
</tr>
<tr>
<td><strong>CLOSING DATE AND TIME:</strong></td>
<td>04 March 2021 at 23H55</td>
</tr>
<tr>
<td><strong>RFQ VALIDITY PERIOD</strong></td>
<td>90 days (COMMENCING FROM THE RFQ CLOSING DATE)</td>
</tr>
<tr>
<td><strong>DESCRIPTION</strong></td>
<td>APPOINTMENT OF A FACILITATOR TO ASSIST THE INDEPENDENT POWER PRODUCER PROCUREMENT OFFICE (IPP OFFICE) EXECUTIVE MANAGEMENT IN ITS STRATEGIC PLANNING SESSIONS</td>
</tr>
<tr>
<td><strong>DOCUMENTS DELIVERY ADDRESS:</strong></td>
<td>ELECTRONIC SUBMISSIONS</td>
</tr>
<tr>
<td></td>
<td>a) Bidders that wish to submit a tender response must send an email to <a href="mailto:vusiSCM@dbsa.org">vusiSCM@dbsa.org</a> indicating their participation.</td>
</tr>
<tr>
<td></td>
<td>b) This must be done three (3) working days before submission day.</td>
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<td>c) Bidders will thereafter receive a OneDrive Link to upload their tender documents electronically.</td>
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<tr>
<td></td>
<td>d) Closing time for the OneDrive Link submissions - 23h55 on the 1st March 2021 (Telkom Time)</td>
</tr>
<tr>
<td><strong>TENDER TECHNICAL AND GENERAL QUERIES</strong></td>
<td>E-mail address: <a href="mailto:VusiSCM@dbsa.org">VusiSCM@dbsa.org</a></td>
</tr>
<tr>
<td><strong>COMPLAINTS ABOUT THIS RFQ OR TENDER PROCESS</strong></td>
<td>E-mail address: <a href="mailto:scmqueries@dbsa.org">scmqueries@dbsa.org</a></td>
</tr>
</tbody>
</table>

**NB:** All enquiries regarding this RFQ must be forwarded to the stated email address above within the day after the RFQ has been issued. No enquiries from bidders will be entertained after the closing date of this RFQ and during the subsequent evaluation processes. DBSA however reserves the right to clarify any information with any bidder regarding their response to this RFQ.

All responses must be submitted to the above-mentioned address at the time specified.
## SUPPLIER INFORMATION

<table>
<thead>
<tr>
<th>NAME OF BIDDER</th>
<th>POSTAL ADDRESS</th>
<th>STREET ADDRESS</th>
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<th>TELEPHONE NUMBER</th>
<th>CODE</th>
<th>NUMBER</th>
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<th>CODE</th>
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<th>FAX NUMBER</th>
<th>CODE</th>
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<thead>
<tr>
<th>E-MAIL ADDRESS</th>
<th>VAT REGISTRATION NUMBER</th>
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<thead>
<tr>
<th>SUPPLIER COMPLIANCE STATUS</th>
<th>TAX COMPLIANCE SYSTEM PIN:</th>
<th>OR</th>
<th>CENTRAL SUPPLIER DATABASE No:</th>
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<td>MAAA</td>
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<tr>
<th>[AN ORIGINAL AND VALID B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE OR ORIGINAL CERTIFIED COPY]</th>
<th>[TICK APPLICABLE BOX]</th>
<th>ORIGINAL B-BBEE STATUS LEVEL SWORN AFFIDAVIT</th>
<th>[TICK APPLICABLE BOX]</th>
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<tbody>
<tr>
<td>[ ] Yes</td>
<td>[ ] Yes</td>
<td>[ ] Yes</td>
<td>[ ] Yes</td>
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<tr>
<td>[ ] No</td>
<td>[ ] No</td>
<td></td>
<td>[ ] No</td>
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</table>

[AN ORIGINAL AND VALID B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED? [ ] Yes [ ] No

ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS/SERVICES/WORKS OFFERED? [ ] Yes [ ] No

[IF YES, ANSWER THE QUESTIONNAIRE BELOW]

### QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS PLEASE COMPLETE AS PER SECTION 3 OF THE TERMS AND CONDITIONS BELOW

**NOTE:** Whether or not you are submitting a bid, please email this schedule to the Procurement Specialist.

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>We will bid:</td>
<td></td>
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</table>

## TERMS AND CONDITIONS FOR BIDDING

1. **RFQ SUBMISSION:**

---

2
1.1. RFQ BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.

1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.

1.4. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

1.5. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).

1.6. PARTICIPATION IN THE TENDER PROCESS IS SUBJECT TO COMPLIANCE WITH THE TENDER CONDITIONS CONTAINED IN THIS RFQ DOCUMENT.

1.7. THE SUCCESSFUL BIDDER MAY BE REQUIRED TO CONCLUDE A FORMAL WRITTEN CONTRACT WITH THE DBSA DEPENDING ON THE NATURE OF THE SERVICES TENDERED FOR.

1.8. IF THE BIDDER'S SUBMISSION OF A QUOTATION IS SUCCESSFUL, THE DBSA SHALL APPOINT THE BIDDER TO EXECUTE OR PROVIDE THE REQUIRED SERVICES OR GOODS. WHERE NO FORMAL WRITTEN CONTRACT IS REQUIRED TO BE CONCLUDED WITH THE SUCCESSFUL BIDDER, THE DBSA SHALL PLACE A PURCHASE ORDER WITH THE BIDDER AND THE AFORESAID GENERAL CONDITIONS OF CONTRACT SHALL APPLY TO ANY SUBSEQUENT PURCHASE ORDER. IN THE EVENT THAT A FORMAL WRITTEN CONTRACT IS REQUIRED TO BE CONCLUDED WITH THE BIDDER, THE PARTIES SHALL EXECUTE A SERVICE CONTRACT AND THEREAFTER THE DBSA SHALL PLACE A PURCHASE ORDER.

1.9. NO SERVICES MUST BE RENDERED OR GOODS DELIVERED BEFORE AN OFFICIAL DBSA APPOINTMENT LETTER HAS BEEN ISSUED, A SERVICE CONTRACT SIGNED WHERE APPLICABLE, AND A PURCHASE ORDER HAS BEEN RECEIVED BY THE SUPPLIER.

1.10. LATE AND INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED.

1.11. ANY BIDDER WHO HAS REASONS TO BELIEVE THAT THE RFQ SPECIFICATION IS BASED ON ANY SPECIFIC BRAND MUST INFORM DBSA IN WRITING BEFORE THE RFQ CLOSING DATE. IT SHOULD HOWEVER, BE NOTED THAT DBSA RESERVES THE RIGHT TO ISSUE BRAND SPECIFIC SPECIFICATIONS “EQUIVALENT” / REQUIREMENTS TENDER.

1.12. BIDDERS ARE REQUIRED TO COMPLETE ANNEXURE B FOR ALL PRICE QUOTATIONS EXCEEDING THE VALUE OF R30 000 (VAT INCLUDED) AND ATTACH TO THE FUNCTIONAL/TECHNICAL PROPOSAL WHERE THE TENDERING PROCESS WILL USE A ONE ENVELOPE SYSTEM.

OR

WHERE THE TENDERING PROCESS WILL USE A TWO FOLDERS SYSTEM I.E. BIDDERS MUST SUBMIT THE PRE-QUALIFYING CRITERIA AND FUNCTIONAL PROPOSAL IN ONE ENVELOPE/FOLDER (TOGETHER WITH RELEVANT COPIES) AND THE COMPLETED ANNEXURE B (PRICING) AND PREFERENCE POINTS PROPOSALS IN A SEPARATE ENVELOPE/FOLDER (TOGETHER WITH THE RELEVANT COPIES). BOTH ENVELOPES / FOLDERS MUST BE CLEARLY MARKED.

NOTE: NO PRICE AND/OR RATES MUST BE INCLUDED IN THE FUNCTIONAL/TECHNICAL PROPOSAL AS THIS WILL RESULT IN DISQUALIFICATION.
1.13. Bidders are also required to complete and sign all declarations as part of the RFQ documentation pack the standard bidding documents (SBD) prescribed by the National Treasury attached as Annexure C.

1.14. The successful bidder will be the bidder that scores the highest number of points in the price and preference evaluation, unless the DBSA exercises its right to cancel the RFP, in line with the Preferential Procurement Regulations, 2017.

1.15. All prices must be quoted in South African Rand (ZAR)

1.16. The cost of marketing and advertising, and other charges must be included in the total price quoted. If these items are requested as part of the DBSA cost template / model of this RFQ, bidders should under no circumstances include any additional cost elements which have not specifically been requested for as part of this RFQ. If additional items are suggested by any bidder, then these items must be separately specified with a clear motivation of why these additional items may be required. It should also be further stated whether the workability of the solution proposed is dependent on such additional items or not.

1.17. Bidders are also requested to separately provide a detailed cost breakdown of all items to be provided as part of their response to this RFQ. This clearly depicts the item description (brand name, product code) and associated quantities. Failure to provide this information will invalidate the RFQ response on the basis of incompleteness. The total cost of the RFQ response based on the DBSA cost template / model should exactly match the total cost of the detailed cost breakdown. In the event of any discrepancies, then the higher amount of the 2 documents will be used as basis for the price evaluations of this RFQ response.

2. Tax Compliance Requirements

2.1. Bidders must ensure compliance with their tax obligations.

2.2. Bidders are required to submit their unique personal identification number (PIN) issued by SARS to enable the Organ of State to view the taxpayer’s profile and tax status.

2.3. Application for tax compliance status (TCS) or PIN may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za.

2.4. Bidders may also submit a printed TCS together with the bid.

2.5. In bids where consortia / joint ventures / sub-contractors are involved; each party must submit a separate proof of TCS / PIN / CSD number.

2.6. Where no TCS is available but the bidder is registered on the Central Supplier Database (CSD), a CSD number must be provided.

2.7. No bids will be considered from persons in the service of the state, companies with directors who are persons in the service of the state, or close corporations with members persons in the service of the state.

3. Questionnaire to Bidding Foreign Suppliers

3.1. Is the bidder a resident of the Republic of South Africa (RSA)?

   [ ] Yes  [ ] No

3.2. Does the bidder have a branch in the RSA?

   [ ] Yes  [ ] No

3.3. Does the bidder have a permanent establishment in the RSA?

   [ ] Yes  [ ] No

3.4. Does the bidder have any source of income in the RSA?

   [ ] Yes  [ ] No

If the answer is “No” to all of the above, then, it is not a requirement to obtain a tax compliance status / tax compliance system PIN code from the South African Revenue Service (SARS) and if not register as per 2.3 above.
4. COMPLIANCE REQUIREMENTS

4.1 All BIDDER MUST SUBMIT THEIR ORIGINAL AND VALID BBBEE STATUS LEVEL VERIFICATION CERTIFICATE OR ORIGINAL CERTIFIED COPY OR ORIGINAL SWORN AFFIDAVIT THEREOF, SUBSTANTIATING THEIR BBBEE STATUS.

4.2 THE SUBMISSION OF SUCH CERTIFICATES MUST COMPLY WITH THE REQUIREMENTS OF INSTRUCTIONS AND GUIDELINES ISSUED BY THE NATIONAL TREASURY AND MUST BE IN ACCORDANCE WITH THE APPLICABLE NOTICES PUBLISHED BY THE DEPARTMENT OF TRADE AND INDUSTRY IN THE GOVERNMENT GAZETTE.

5. PRE-QUALIFICATION CRITERIA

Refer to Terms of Reference

6. FUNCTIONAL EVALUATION

6.1 APPLICABLE-REFER TO TERMS OF REFERENCE

7. PRICE AND PREFERENCE EVALUATION

7.1 THIS RFQ WILL BE EVALUATED IN TERMS OF THE 80/20 PREFERENCE POINT SYSTEM PRESCRIBED BY THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 AS AMENDED. THE ALLOCATION OF POINTS WILL BE AS FOLLOWS:

<table>
<thead>
<tr>
<th>PRICE</th>
<th>BEE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>80</td>
<td>20</td>
<td>100</td>
</tr>
</tbody>
</table>

8. ORAL PRESENTATIONS

8.1 BIDDERS WHO SUBMIT BIDS IN RESPONSE TO THIS RFQ MAY BE REQUIRED TO GIVE AN ORAL PRESENTATION, WHICH MAY INCLUDE, BUT IS NOT LIMITED TO, A MARKETING PROPOSAL DEMONSTRATION OF THEIR PROPOSAL TO DBSA. THIS PROVIDES AN OPPORTUNITY FOR THE BIDDER TO CLARIFY OR ELABORATE ON THEIR PROPOSAL. THIS IS A FACT FINDING AND EXPLANATION SESSION ONLY AND DOES NOT INCLUDE NEGOTIATION. DBSA SHALL SCHEDULE THE TIME AND LOCATION OF THESE PRESENTATIONS.

8.2 ORAL PRESENTATIONS ARE AN OPTION OF DBSA AND MAY OR MAY NOT BE CONDUCTED. IF SUCH PRESENTATIONS OR PRODUCT DEMONSTRATIONS ARE REQUIRED, THEN THE COST TO SET UP THESE SESSIONS WILL BE BORNE BY THE BIDDER. IT SHOULD ALSO BE NOTED THAT WHERE A BIDDER CAN ONLY FACILITATE SUCH PRESENTATION AND DEMONSTRATION SESSIONS ABROAD OR EVEN BEYOND THE PROVINCIAL BORDERS OF GAUTENG, THEN ANY ASSOCIATED SUSTAINANCE AND TRAVELING COST OF THE DBSA BID EVALUATION TEAM, WILL BE FOR THE ACCOUNT OF THE BIDDER.

9. REASONS FOR DISQUALIFICATION
9.1 DBSA RESERVES THE RIGHT TO DISQUALIFY ANY BIDDER WHICH DOES ANY ONE OR MORE OF THE FOLLOWING,
   9.1.1 BIDDERS WHO SUBMITTED INCOMPLETE INFORMATION AND DOCUMENTATION ACCORDING TO THE REQUIREMENTS OF THIS RFQ;
   9.1.2 BIDDERS WHO SUBMITTED INFORMATION THAT IS FRAUDULENT, FACTUALLY UNTRUE OR INACCURATE, FOR EXAMPLE MEMBERSHIPS THAT DO NOT EXIST, BEE CREDENTIALS, EXPERIENCE, ETC.;
   9.1.3 BIDDERS WHO RECEIVED INFORMATION NOT AVAILABLE TO OTHER VENDORS THROUGH FRAUDULENT MEANS; AND/OR
   9.1.4 BIDDERS WHO DO NOT COMPLY WITH ANY OTHER REQUIREMENTS AS STIPULATED IN THIS RFQ DOCUMENT.
   9.1.5 BIDDERS WHO SUBMIT RESPONSE AFTER THE STIPULATED SUBMISSION DATE AND TIME.

10. RIGHT TO CANCEL

10.1 DBSA RESERVES THE RIGHT TO CANCEL OR REJECT ANY QUOTE AND NOT TO AWARD THE RFQ TO THE LOWEST BIDDER OR AWARD PARTS OF THE RFQ TO DIFFERENT BIDDERS, OR NOT TO AWARD THE RFQ AT ALL.

11. DECLARATION BY BIDDER

I, THE UNDERSIGNED (NAME)………………………………………………………………………………………….CERTIFY THAT:
   i.  I HAVE READ, UNDERSTOOD AND UNCONDITIONALLY ACCEPT THE CONDITIONS OF THIS RFQ.
   ii. I HAVE SUPPLIED THE REQUIRED INFORMATION AND THE INFORMATION SUBMITTED AS PART OF THIS RFQ IS TRUE AND CORRECT.

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

SIGNATURE OF BIDDER

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

DATE:
.........................................................................................................................................................
## Stage 1: Responsiveness

<table>
<thead>
<tr>
<th>Responsiveness Criteria</th>
<th>Prequalifying Criteria</th>
<th>Applicable to this Tender (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Adherence to submitting Tender as a two-folder tender Folder 1 Functionality and returnable submission separate from Folder 2 Pricing proposal submission</td>
<td>Pre-Qualifier</td>
<td>Y</td>
</tr>
<tr>
<td>2 Submission of company profile and a minimum of 3 reference letters.</td>
<td>Pre-Qualifier</td>
<td>Y</td>
</tr>
<tr>
<td>3 In terms of the DBSA Transformation Imperative Targets, the DBSA will consider companies that are EME’s and QSE’s with a minimum B-BBEE status of Level 2 who will contribute to meaningful B-BBEE initiatives as part of the tender process.</td>
<td>Pre-Qualifier</td>
<td>Y</td>
</tr>
<tr>
<td>4 The successful Tenderer, if not itself an EME or QSE with a minimum B-BBEE status level 2, as per Section 4(1)(a) and (b) of the PPR 2017, must subcontract a minimum of 30% of the value</td>
<td>Pre-Qualifier</td>
<td>Y</td>
</tr>
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</table>

A. Tenderers who do not adhere to those criteria listed a PRE-QUALIFIER, will be disqualified immediately.

NB: “Technical Proposal Folder” should not include any Price Offered/Financial Proposal, failure to submit in separate Folders will lead to the disqualification of your bid/tender.

B. Tenderers who do not adhere to the indicated response time for clarifications requested by the Employer will be deemed to be non-responsive and their submissions will not be evaluated further.

<table>
<thead>
<tr>
<th>Responsiveness Criteria</th>
<th>Clarification Time</th>
<th>Applicable to this Tender (Y/N)</th>
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<tbody>
<tr>
<td>5 Standard conditions of tender as required.</td>
<td>48 hours</td>
<td>Y</td>
</tr>
<tr>
<td>6 Returnable documents completed and signed.</td>
<td>48 hours</td>
<td>Y</td>
</tr>
<tr>
<td>7 Submission of Proof of Registration with National Treasury Central Supplier Database (CSD) Summary Report or A Valid and Active Tax Compliance Status Pin issued by SARS for Tax Compliance Status Verification: N.B - Bidder must be fully registered &amp; tax compliant in order to do business with the DBSA.</td>
<td>48 hours</td>
<td></td>
</tr>
<tr>
<td>8 A valid and Active Tax Compliance Status Pin issued by SARS</td>
<td>48 hours</td>
<td></td>
</tr>
<tr>
<td>9 Valid original / certified letter of good standing (COIDA)</td>
<td>48 hours</td>
<td>Y</td>
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APPOINTMENT OF A FACILITATOR TO ASSIST THE INDEPENDENT POWER PRODUCER PROCUREMENT OFFICE (IPP OFFICE) EXECUTIVE MANAGEMENT IN ITS STRATEGIC PLANNING SESSIONS
INTRODUCTION AND BACKGROUND

1.1 The Independent Power Producer Procurement Programme (IPPPP) and IPP Office was established in 2010 and has evolved with the energy and economic policy context in South Africa. A number of key turning points led to the creation of the programme ten years ago, among these Eskom’s electricity supply shortages during 2008 to 2010, South Africa’s National Policy on Climate Change Response and COP 17 Commitment to transition to a low carbon economy.

1.2 The most important contributing factor to its creation, however, was the establishment in December 2010 of an Inter-Ministerial Committee (IMC) to address the electricity supply constraints experienced as a result of severe financial constraints in Eskom. Recommendations from the IMC gave rise to a 2010 Memorandum of Agreement (MoA) between the DoE, the National Treasury (NT) and the Development Bank of Southern Africa (DBSA) to establish the IPP Office as a specific and specialised project office, hosted by the DBSA.

1.3 The Integrated Resource Plan (IRP) and associated Ministerial Determinations, with concurrence from NERSA, set the pace and direction of the roll out of the Independent Power Producers Procurement Programme (IPPPP). The IRP2019, promulgated in October 2019, provides SA’s long term plan for electricity generation & constitutes the country’s official electricity infrastructure plan. It aims to foster electricity security of supply in a cost-effective manner, while ensuring minimal water usage & reduced GHG emissions, and taking into account the country’s socio-economic development imperatives.

1.4 The Minister of Mineral Resources and Energy issued determinations for 13 813 MW of new generation capacity to be procured from IPPs in alignment with the respective capacity allocations in the IRP 2019. The Ministerial determinations of 13 813 MW represents 43.9% of the total 31 488 MW target for new additional capacity that must be added by 2030 as stipulated in the IRP 2019. Along with these determinations, the DMRE has also issued mandate instructions to the IPP Office to procure the required MW capacity from IPPs, on its behalf.

1.5 The first determination of 2 000 MW is earmarked for the Risk Mitigation Independent Power Producer Procurement Programme, to fill the identified supply gap indicated in the IRP2019, and reduce the extensive utilisation of expensive diesel-based peaking electrical generators in the medium to long-term. This procurement should be concluded, and bidders announced in the first quarter of 2020. The second Ministerial Determination for the procurement of 11 813 MW of Power
was promulgated on 25th September 2020, including:

- 6 800 MW from renewable energy resources (including PV and Wind),
- 513 MW to be generated from storage,
- 3000 MW to be generated from Gas and
- 1 500 MW to be generated from coal.

1.6 The IPP Office is engaging closely with the DMRE to develop a procurement roll-out plan to cover these determinations.

1.7 The ad-hoc, programme nature of the IPP Office and continued extension of the MoA arrangement since 2010 has resulted in protracted organisational and financial uncertainty and instability. The long-term sustainability of the IPP Office will be secured through its institutionalisation, the nature of which will be informed by the outcomes of an independent study commissioned by the IPP Office governance structure - the Joint Implementation Committee (JIC) comprising of the DMRE, National Treasury and DBSA. The study commenced in late 2018 and as part of its emerging recommendations, the JIC has approved that a Business Case and PFMA Section 54 application be prepared to establish the IPP Office as a Schedule 3(A) public entity. External, independent advisors are currently completing the full set of documents required for consultation with National Treasury and other stakeholders.

1.8 As part of the Study Options Mapping exercise, the consultants have also completed an extensive HR Analysis and have made several recommendations for the IPP Office to consider as it prepares for institutionalisation, including the need for:

- An HR strategy.
- A wellness strategy.
- A performance management policy and procedures.
- An employment equity plan.
- An HR information system; and
- An updated organisational structure to reflect the mandate of the IPP Office and ensure compliance with applicable law and that the structure is fit for purpose.

1.9 A number of institutional changes occurred in the last year both internally and at the level of its main stakeholder. This included the appointment of a new Head of Office in May 2020, and the merger of the Department of Mineral Resources and Department of Energy under one Department from 1 April 2020. Under these new governance arrangements several other priorities have also emerged which the IPP Office would need to take account of in updating its planning frameworks.
1. **PURPOSE**

2.1. The 2010 Memorandum of Agreement (MoA) between the Department of Energy (now Department of Mineral Resources and Energy), the National Treasury and the Development Bank of Southern Africa (DBSA) established the IPP Office as a specific and specialised project office, hosted by the DBSA. The MoA provides the operational platform for the successful roll-out of the Independent Power Producer Procurement Programme (IPPPP).

2.2. The IPP Office established under the MoA is not a legal entity. In the last 10 years it has evolved into a self-funded programme office, operating within the provisions of the MoA. As a programme office of the Department of Mineral Resources and Energy (DMRE), its mandate extends to professional services in respect of specialised and complex procurement of high value commercial transactions as well as contract management, monitoring and evaluation and stakeholder facilitation. The scope of these services extends to renewable and non-renewable energy sources and also involves bi-lateral and multilateral energy sector commercial and advisory relations.

2.3. During late 2019-early 2020, the IPP Office developed a new Strategic Plan (2020-2025). As part of this process it also prepared an Annual Plan covering 2020-2023, in line with National Treasury Guidance. The IPP Offices governing structure, the Joint Implementation Committee (JIC) approved these documents, however, on the understanding that it may require further review and updating as energy policy decisions and institutional arrangements become clearer.

2.4. The ad-hoc nature of the IPP Office has made it highly vulnerable to external risks and dependent on stakeholder actions, and as a result it has experienced protracted periods of operational and financial instability over the last 4 years. This has also resulted in a significant drain of skills and capacity, specifically at senior management level, which it is trying to rebuild.

2.5. A number of change factors have manifested over the last year which necessitates a facilitated review and update of the IPP Office planning frameworks. These factors include more certainty as to the IPP Office’s institutional future, confirmation of the IPPPPP procurement roll-out in line with new Ministerial Determinations under Section 34 of the Electricity Regulations Act (ERA), and organisational and governance changes, including the appointment of a new Head of Office in May 2020, and the merger of the Department of Mineral Resources and Department of Energy under one Department from 1 April 2020.
2. **SCOPE OF WORK**

3.1. The scope and focus of the assignment are to provide strategic facilitation support to the IPP Office Executive Committee in respect of its business and strategy planning for 2021 going forward. The Service Provider will be required to facilitate a 2-day strategic planning session, and facilitate specific team inputs into the planning process, where requested.

4. **MANDATORY PROCUREMENT REQUIREMENTS**

4.1. Registration on the National Treasury Central Supplier Database (CSD).

4.2. Standard bidding documents must be fully completed and signed, where the answer is not applicable, it must be indicated with N/A, failure to complete will result in disqualification. Standard bidding Documents 4, 6.1, 8 and 9.

5. **KEY DELIVERABLES**

5.1. The assignment will involve the following broad approach, however the Service Provider is expected to suggest a methodology and approach to ensure that maximum output is achieved from the strategic planning process, to encourage creativity and avoid Group Think (the tendency for groups to think homogenously):

- **Initial briefing** – the IPP Office will brief and make available all strategic plans, annual plans, institutionalisation reports and any other strategy documents to the Service Provider to be able to refine the approach and prepare for the Strategic Planning sessions;

- **Outcome planning session with Head of IPP Office** to confirm final approach and programme for workshop;

- **Plan and facilitate a two-day strategic planning workshop** with the IPP Office Executive Committee, and other stakeholders where required, to prioritise strategic direction. Due to time constraints amongst participants, it is proposed that the two days are not consecutive,
but rather spaced apart by a few weeks to allow for the team to return to the second day having prepared detailed plans and objectives for review.

• The 2 days are expected to cover the following, *inter alia*, however the approach and content will depend on the recommendations from the Service Provider:

  o **Day 1:**
    • Review of achievements and challenges
    • Situational analysis – policy, institutional and operational environment (could include SWOT or similar analysis)
    • Review IPP Office mandate, vision, mission and values
    • IPPPP Procurement Programme outlook – timeframes, key challenges
    • Identification of key HR priorities based on the HR findings from the Institutionalisation Options Mapping exercise
    • Key strategic risks and strategies
    • Identify high-level outputs and targets for next 3 years
    • Resource considerations

  o **Day 2 (to be held 2 weeks later to allow time for teams to prepare detailed inputs):**
    • Unpack high-level outputs and targets for next 3 years into annual targets, milestones and deliverables

• **Availability to advise, where required, the Senior Managers and their teams in unpacking and preparing detailed plans and objectives** The Service Provider will provide such support between the two workshop sessions. This could be facilitated through a maximum of 6, one-hour on-line sessions.

• The Service Provider will make use of participatory processes to facilitate critical reflection by IPP Office staff and stakeholders and as such will be expected to provide for active and meaningful engagement during the strategic planning workshop.

• It is further expected that the Service Provider will formulate a rigorous and transparent analysis framework, based on available data, to aid in the prioritisation of strategic direction.

6. **CONTRACT DURATION**
6.1. The assignment will be carried out over a 4-week period, but actual days work will not amount to more than 5 days for preparation and facilitation. Timelines for deliverables are indicative, and phases may overlap or run concurrently:

<table>
<thead>
<tr>
<th>Phase</th>
<th>Deliverable</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobilisation</td>
<td>None</td>
<td>Within 2 day of signing of contract</td>
</tr>
<tr>
<td>Planning of Workshop</td>
<td>Review of Documents and briefing</td>
<td>Within 1 week of signing of contract</td>
</tr>
<tr>
<td></td>
<td>Planning meeting with Head of IPP Office</td>
<td>Week 2</td>
</tr>
<tr>
<td>Workshop and Follow-up</td>
<td>Workshop Day 1</td>
<td>Week 2</td>
</tr>
<tr>
<td></td>
<td>Team preparation for Day 2</td>
<td>Week 2-4</td>
</tr>
<tr>
<td></td>
<td>Workshop Day 2</td>
<td>Week 4</td>
</tr>
</tbody>
</table>

7. **PAYMENT SCHEDULE**

The pricing element of the bid should be a fixed fee, payable on delivery of an invoice after Workshop Day 2 of the strategic planning process has been completed.

<table>
<thead>
<tr>
<th>Phase</th>
<th>Milestone</th>
<th>Payment schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning of Workshop</td>
<td>Review of Documents and briefing</td>
<td>Fixed fee payable on completion of facilitation process</td>
</tr>
<tr>
<td></td>
<td>Planning meeting with Head of IPP Office</td>
<td></td>
</tr>
<tr>
<td>Workshop and Follow-up</td>
<td>Workshop Day 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Team preparation for Day 2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Workshop Day 2</td>
<td></td>
</tr>
</tbody>
</table>

Payment terms are 30 Days from date of invoice.

8. **ELIGIBILITY CRITERIA**

8.1. The following evaluation criteria will be applied. All bidders who do not obtain 70 points out of 100 will be disqualified and will not be evaluated further for Price and BBBEE.
<table>
<thead>
<tr>
<th>Evaluation criteria</th>
<th>Guidelines for criteria application</th>
<th>Points allocation</th>
<th>Weighting (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company Track Record and Experience:</td>
<td>• At least 8 years’ experience in planning and facilitation of strategic planning processes in public and private sector; • sector; • Three (3) references, to include company name, contact person, contract value, and contact details were similar assignments were completed successfully.</td>
<td>6 – 8 years’ experience = 20 Less than 6 years = 0 3 references = 10 Less than 3 references = 0</td>
<td>30</td>
</tr>
<tr>
<td>CV of Lead Advisor</td>
<td>Availability of skills and expertise in the following areas: • At least 8 years’ experience in strategic planning and organisational development in the public and private sector; • Demonstrated experience of clients assisted in strategic planning processes and approaches adopted. Role and contribution in each of the examples must be specified • Some understanding of private sector investment in economic infrastructure, including but not limited to the energy sector, within both the South African and international context; • Understanding of government’s economic policy objectives and</td>
<td>Lead CV has demonstrated Strategic planning experience and specific lead role in such assignments = 15 Lead CV has not demonstrated lead role in such assignments = 0 Lead CV has demonstrated some understanding of economic infrastructure environment, government policy objectives and institutions in the energy sector = 15 Lead CV has not demonstrated understanding of economic infrastructure environment, policy objectives or institutions in the energy sector = 0</td>
<td>30</td>
</tr>
</tbody>
</table>
the broader alignment of institutions in the energy sector and the economy as a whole

<table>
<thead>
<tr>
<th>Proposal on Approach to Strategic Planning:</th>
<th>Service Providers are required to submit a proposal of no longer than 5 pages setting out a recommended approach to the Strategic Planning process to facilitate critical reflection and suggested tools to aid strategic prioritisation during the strategic planning process,</th>
<th>Proposal provided with recommended approach to Strategic planning process = 40</th>
<th>40</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td><strong>Minimum required score</strong></td>
<td><strong>100</strong></td>
<td><strong>0</strong></td>
</tr>
</tbody>
</table>

16
Pricing Proposal

Annexure A
The pricing element of the bid should be a fixed fee, payable on delivery of an invoice after Workshop Day 2 of the strategic planning process has been completed.

<table>
<thead>
<tr>
<th>Phase</th>
<th>Milestone</th>
<th>Total Cost Incl. (Vat)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning of Workshop</td>
<td>• Review of Documents and briefing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Planning meeting with Head of IPP Office</td>
<td></td>
</tr>
<tr>
<td>Workshop and Follow-up</td>
<td>• Workshop Day 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Team preparation for Day 2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Workshop Day 2</td>
<td></td>
</tr>
<tr>
<td>Total cost</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Annexure C:

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: ..................................................................................................

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

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.

-----------------------------------------------------------------------------------------------------------------------------
-----------------------------------------------------------------------------------------------------------------------------

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.

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Identity Number</th>
<th>Personal Tax Reference Number</th>
<th>State Employee Number / Persal Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4. DECLARATION

I, THE UNDERSIGNED (NAME)………………………………………………………………………………………………

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULDN'T THIS DECLARATION PROVE TO BE FALSE.

………………………………………  …………………………………………  Signature  Date

………………………………………  …………………………………………  Position  Name of bidder

May 2011
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


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 not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
   b) Either the 80/20 preference point system will be applicable to this tender

1.3 Points for this bid shall be awarded for:
   (a) Price; and
   (b) B-BBEE Status Level of Contributor.

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

<table>
<thead>
<tr>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRICE</td>
</tr>
<tr>
<td>B-BBEE STATUS LEVEL OF CONTRIBUTION</td>
</tr>
<tr>
<td>Total points for Price and B-BBEE must not exceed</td>
</tr>
</tbody>
</table>

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

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

2. DEFINITIONS

(a) “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
(b) “B-BBEE status level of contributor” means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(c) “bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

(d) “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(e) “EME” means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(f) “functionality” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.

(g) “prices” includes all applicable taxes less all unconditional discounts;

(h) “proof of B-BBEE status level of contributor” means:

1) B-BBEE Status level certificate issued by an authorized body or person;

2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;

3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) “QSE” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(j) “rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

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

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

\[
Ps = 80 \left(1 - \frac{Pt - P_{\text{min}}}{P_{\text{min}}} \right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - P_{\text{min}}}{P_{\text{min}}} \right)
\]

Where

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:
<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>14</td>
</tr>
<tr>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
</tr>
</tbody>
</table>

5. **BID DECLARATION**

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

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

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

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

7. **SUB-CONTRACTING**

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

(Tick applicable box)

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

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  [ ] NO

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:

<table>
<thead>
<tr>
<th></th>
<th>EME</th>
<th>QSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black people</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Black people who are youth</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people who are women</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people with disabilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people living in rural or underdeveloped areas or townships</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cooperative owned by black people</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people who are military veterans</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OR

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Any EME</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any QSE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:…………………………………………………………………………………

8.2 VAT registration number:………………………………………………………………………………

8.3 Company registration number:…………………………………………………………………………

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited
  [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

…………………………………………………………………………………………………………………
…………………………………………………………………………………………………………………
…………………………………………………………………………………………………………………
…………………………………………………………………………………………………………………

8.6 COMPANY CLASSIFICATION

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

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

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

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

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

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

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

DATE: ..............................................
ADDRESS
 ..............................................
 ..............................................
 ..............................................
CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)………………………………………….. in accordance with the requirements and 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 time of bid.

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);
       - Technical Specification(s);
       - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
       - 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 goods and/or works 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) …………………………………………….  WITNESSES
CAPACITY …………………………………………….
SIGNATURE …………………………………………….
NAME OF FIRM …………………………………………….
DATE …………………………………………….  DATE: ……………………….

WITNESSES
1. …………………
2. …………………
CONTRACT FORM - PURCHASE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I……………………………………………. in my capacity as……………………………………………………………… accept your bid under reference number ………………dated………………………..for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).

2. An official order indicating delivery instructions is forthcoming.

3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>PRICE (ALL APPLICABLE TAXES INCLUDED)</th>
<th>BRAND</th>
<th>DELIVERY PERIOD</th>
<th>B-BBEE STATUS LEVEL OF CONTRIBUTION</th>
<th>MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)</th>
</tr>
</thead>
</table>

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

SIGNED AT ................................................ON..............................................

NAME (PRINT) ...........................................

SIGNATURE ...........................................

OFFICIAL STAMP ...........................................

WITNESSES

1. ...........................................

2. ...........................................

DATE ..............................................
**DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

1. This Standard Bidding Document must form part of all bids invited.

2. It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3. The bid of any bidder may be disregarded if that bidder, or any of its directors have:
   a. abused the institution’s supply chain management system;
   b. committed fraud or any other improper conduct in relation to such system; or
   c. failed to perform on any previous contract.

4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

<table>
<thead>
<tr>
<th>Item</th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>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 <em>audi alteram partem</em> rule was applied).</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

The Database of Restricted Suppliers now resides on the National Treasury’s website ([www.treasury.gov.za](http://www.treasury.gov.za)) and can be accessed by clicking on its link at the bottom of the home page.

<table>
<thead>
<tr>
<th>4.1.1</th>
<th>If so, furnish particulars:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4.2</td>
<td>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th>4.2.1</th>
<th>If so, furnish particulars:</th>
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<tbody>
<tr>
<td>4.3</td>
<td>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?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>
### 4.3.1 If so, furnish particulars:

<p>| | |</p>
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### 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 or comply with the contract?  

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<th></th>
<th>Yes</th>
<th>No</th>
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</table>

### 4.4.1 If so, furnish particulars:

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**CERTIFICATION**

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

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

<table>
<thead>
<tr>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>Name of Bidder</td>
</tr>
</tbody>
</table>

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</tr>
</thead>
<tbody>
<tr>
<td>Position</td>
<td>Name of Bidder</td>
</tr>
</tbody>
</table>
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:

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 business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium\(^3\) 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.

\(^3\) 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.
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
ANNEXURE D

Bidders are required to include, as annexure D to their Bids, certified copies of all relevant CIPC registration documents listing all members with percentages, in the case of a close corporation.
ANNEXURE E

Where Applicable, Bidders are required to include, as Annexure E to their Bids, supporting documents to their responses to the Pre-Qualifying Criteria and Evaluation Criteria.

Where the supporting document is the profile of a member of the Bidder’s proposed team, this should be indicated.
ANNEXURE F

Tax Compliant Status and CSD Registration Requirements

All PROSPECTIVE BIDDERS MUST HAVE A TAX COMPLIANT STATUS EITHER ON THE CENTRAL SUPPLIER DATABASE (CSD) OF THE NATIONAL TREASURY OR SARS E-FILING PRIOR TO APPOINTMENT/AWARD OF THE BID.

REGISTRATION ON THE CSD SITE OF THE NATIONAL TREASURY IS A COMPULSORY REQUIREMENT FOR A BIDDER TO BE APPOINTED, TO CONDUCT BUSINESS WITH THE DBSA. THE ONUS IS ON THE SUCCESSFUL BIDDER TO REGISTER ON THE CSD SITE AND PROVIDE PROOF OF SUCH REGISTRATION PRIOR TO APPOINTMENT/AWARD OF THE BID.

CSD Registration Number:

The Development Bank of Southern Africa has a Zero Tolerance on Fraud and Corruption. Report any incidents of Fraud and Corruption to Whistle Blowers on any of the following:

TollFree: 0800 29 49 33
Email: dbsa@whistleblowing.co.za
Free Post: Free Post KZN 665 | Musgrave | 4052
SMS: 33490