



Provincial Supply Chain Management

Request for Proposal

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RFP NUMBER											
RFP DESCRIPTION											
CUSTOMER DEPARTMENT											
CUSTOMER INSTITUTION											
BRIEFING SESSION	Y		N		SESSION COMPULSORY			Y		N	
					SESSION HIGHLY RECOMMENDED			Y		N	
BRIEFING VENUE				DATE			TIME				
TERM AGREEMENT CALLED FOR?		Y		N		TERM DURATION					
CLOSING DATE			CLOSING TIME								
TENDER BOX LOCATION											
GPT is acting as Common Service Provider or buying organisation on behalf of all Gauteng Provincial Government Customer Departments / Institutions. The goods / services are therefore required by the Customer Department / Institution, as indicated on this form RFP 01.											

Notes:

- All bids / tenders must be deposited in the Tender Box at the following address:
Gauteng Provincial Treasury, Imbumba House, 75 Fox Street, Marshalltown, Johannesburg
- Bids / tenders must be deposited in the Tender Box on or before the closing date and time.
- Bids / tenders submitted by fax will not be accepted.
- The GPT Tender Box is generally open 24 hours a day, 7 days a week.
- 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.
- ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL GPG RFP FORMS – (NOT TO BE RE-TYPED)
- ALL REQUIRED INFORMATION MUST BE COMPLETED (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED):

The Tendering System

The RFP Pack is mainly for "PRE-QUALIFICATION OF BIDDERS" and it consists of only one section namely, Section 1. This section must be submitted clearly marked with the Tender Number and the Section Number.

Training sessions

Non-compulsory "How to tender" workshops are held every Wednesday at 75 Fox Street from 10:00-13:00.



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DETAILS OF BIDDER

COMPANY NAME				
BIDDER / ASSIGNEE NAME				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
COMPANY REGISTRATION NUMBER				
TAX COMPLIANCE STATUS [TICK APPLICABLE BOX]				
<input type="checkbox"/> TCS PIN <input type="checkbox"/> TCS CERTIFICATE				
	TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	B-BBEE CERTIFICATE			
	B-BBEE STATUS LEVEL SWORN AFFIDAVIT			
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?				
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) [TICK APPLICABLE BOX]	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
	<input type="checkbox"/>	A REGISTERED AUDITOR		
		NAME:		
(AN ORIGINAL AND VALID B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE; CERTIFIED COPIES OR SWORN AFFIDAVIT {EME} ATTESTED BY A COMMISSIONER OF OATHS, MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)				

SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			

This RFP is subject to the General Conditions of Contract and were applicable any other Special Conditions of Contract.



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Tender documents can be obtained from <http://www.treasury.gpg.gov.za>

All suppliers are to Register on the National Supplier Database (CSD)
<http://www.csd.gov.za>

ANY ENQUIRIES REGARDING BIDDING PROCEDURE MAY BE DIRECTED TO:

DEPARTMENT

CONTACT PERSON

TELEPHONE NUMBER

FACSIMILE

E-MAIL ADDRESS

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

DEPARTMENT

CONTACT PERSON

TELEPHONE NUMBER

FACSIMILIE

E-MAIL ADDRESS



Provincial Supply Chain Management

RFP Point System

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RFP NUMBER		CLOSING DATE	
VALIDITY OF RFP		CLOSING TIME	

In case of queries, please contact the GPT Contact Centre at tel: 0860 011 000

*GPT is acting as Common Service Provider or buying organisation on behalf of all Gauteng Provincial Government Customer Departments / Institutions.

The goods / services are therefore required by the Customer Department / Institution, as indicated on RFP 01.

The Gauteng Provincial Government requests your bid on the goods and/or services listed on the attached forms. Please furnish all information as requested and return your bid on the date stipulated. Late and incomplete submissions may invalidate the bid submitted.

This RFP will be evaluated on the basis of Preferential Procurement Regulation, 2017 pertaining to the Preferential Procurement Policy Framework Act (Act number 5 of 2000).

Point System

Points SHALL be allocated as follows:

Points for

Points for

*** It is the responsibility of the bidder to attach AN ORIGINAL AND VALID B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE; CERTIFIED COPIES OR SWORN AFFIDAVIT {EME} ATTESTED BY A COMMISSIONER OF OATHS, MUST BE SUBMITTED WITH THIS RFP DOCUMENT TO QUALIFY FOR THE PREFERENCE POINTS**



Provincial Supply Chain Management

Instructions to Bidders

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1. The RFP (Request for Proposal) Pack is drawn up so that certain essential information should be furnished in a specific manner. Any additional particulars shall be furnished in a separate annexure.
2. The RFP forms should not be retyped or redrafted, but photocopies may be prepared and used. Additional offers may be made for any item, but only on a photocopy of the page in question or on other forms obtainable from the relevant Department or Institution advertising this RFP. Additional offers made in any other manner may be disregarded.
3. Should the RFP forms not be filled in by means of electronic devices, bidders are encouraged to complete forms in a black ink.
4. Bidders shall check the numbers of the pages and satisfy themselves that none are missing or duplicated. No liability shall be accepted with regards to claims arising from the fact that pages are missing or duplicated.
5. The forms RFP 04 to RFP 09 and PREF documents shall be completed, signed and submitted with the bid. RFP 10 (National Industrial Participation Programme Form) will only be added to the RFP pack to be completed by bidders when an imported component in excess of US \$ 10 million is expected.
6. A separate RFP 06 form (RFP Price Schedule per item) shall be completed in respect of each item. Photocopies of this form may be prepared and used or additional copies, (if required) are obtainable from the relevant Department or Institution advertising this RFP (not applicable for Pre-qualification of Bidders).
7. Firm delivery periods and prices are preferred. Consequently bidders shall clearly state whether delivery periods and prices will remain firm or not for the duration of any contract, which may result from this RFP, by completing RFP 06 (RFP Price Schedule per item) and RFP 07 (Non-Firm Prices per item) (not applicable for Pre-qualification of Bidders).
8. If non-firm prices are offered bidders must ensure that a separate RFP 07 (Non-Firm Prices per item) is completed in respect of each item for which a non-firm price is offered. Photocopies of this form may be prepared and used or additional copies, (if required) are obtainable from the relevant Department or Institution advertising this RFP (not applicable for Pre-qualification of Bidders).
9. Where items are specified in detail, the specifications form an integral part of the RFP document (see the attached specification) and bidders shall indicate in the space provided whether the items offered are to specification or not (not applicable for Pre-qualification of Bidders).
10. In respect of the paragraphs where the items offered are strictly to specification, bidders shall insert the words "as specified" (see the attached specification) (not applicable for Pre-qualification of Bidders).
11. In cases where the items are not to specification, the deviations from the specifications shall be indicated (see the attached specification).
12. In instances where the bidder is not the manufacturer of the items offered, the bidder must as per RFP 06 (RFP Price Schedule per item) submit a Letter of Supply from the relevant manufacturer or his supplier (not applicable for Pre-qualification of Bidders).
13. The offered prices shall be given in the units shown in the attached specification, as well as in RFP 06 (RFP Price Schedule per item) (not applicable for Pre-qualification of Bidders).
14. With the exception of imported goods, where required, all prices shall be quoted in South African currency. Where bids are submitted for imported goods, foreign currency information must be supplied by completing the relevant portions of RFP 06 (RFP Price Schedule per item) and RFP 07 (Non-Firm Prices per item) (not applicable for Pre-qualification of Bidders).
15. Unless otherwise indicated, the costs of packaging materials (if applicable) are for the account of the bidder and must be included in the bid price on RFP 06 (RFP Price Schedule per item) (not applicable for Pre-qualification of Bidders).
16. Delivery basis (not applicable for Pre-qualification of Bidders):
 - (a) Supplies which are held in stock or are in transit or on order from South African manufacturers at the date of offer shall be offered on a basis of delivery into consignee's store or on his site within the free delivery area of the bidder's centre, or carriage paid consignee's station, if the goods are required elsewhere.
 - (b) Notwithstanding the provisions of paragraph 16(a), offered prices for supplies in respect of which installation / erection / assembly is a requirement, shall include ALL costs on a "delivered on site" basis, as specified on RFP 06 (RFP Price Schedule per item).
17. Unless specifically provided for in the RFP document, no bids transmitted by facsimile or email shall be considered.
18. Failure on the part of the bidder to sign any of the forms RFP 04 to RFP 10 and PREF documents and thus to acknowledge and accept the conditions in writing or to complete the attached RFP forms, Preference documents, questionnaires and specifications in all respects, may invalidate the bid.
19. Bids should preferably not be qualified by the bidder's own conditions of bid. Failure to comply with these requirements (i.e. full



Provincial Supply Chain Management

Instructions to Bidders

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acceptance of the General Conditions of Contract or to renounce specifically the bidder's own conditions of bid, when called upon to do so, may invalidate the bid.

20. In case of samples being called for together with the bid (refer to RFP 05 in this regard), the successful bidder may be required to submit **pre-production samples** to the South African Bureau of Standards (SABS) or such testing authority as designated at the request of the relevant Department concerned. Unless the relevant Department decides otherwise, pre-production samples must be submitted within thirty (30) days of the date on which the successful bidder was requested to do so. Mass production may commence only after both the relevant Department and the successful bidder have been advised by the SABS that the pre-production samples have been approved.
21. Should the pre-production samples pass the inspections / tests at the first attempt, the costs associated with the inspections / tests will be for the account of the relevant Department. If the SABS or such testing authority as designated do not approve the pre-production samples, but requires corrections / improvements, the costs of the inspections / tests must be paid by the successful bidder and samples which are acceptable in all respects must then reach the SABS or such testing authority as designated within twenty-one (21) days of the date on which the findings of the SABS or such testing authority as designated were received by the successful bidder. Failure to deliver samples within the specified time and to the required standards may lead to the cancellation of the intended contract.
22. In case of samples being called for together with the bid (refer to RFP 05 in this regard), the samples must be submitted together with the bid before the closing time and date of the RFP, unless specifically indicated otherwise. Failure to submit the requested sample(s) before the closing time and date of the RFP may invalidate the bid.
23. In cases where large quantities of a product are called for, it may be necessary for the relevant item to be shared among two (2) or more suppliers.
24. In cases where the relevant Department or Institution advertising this RFP may deem it necessary, a formal contract may be entered into with the successful bidder, in addition to a Letter of Acceptance and / or purchase order being issued.
25. If any of the conditions on the RFP forms are in conflict with any special conditions, stipulations or provisions incorporated in the bid invitation, such special conditions, stipulations or provisions shall apply.
26. This RFP is subject to the General Conditions of Contract and re-issues thereof. Copies of these conditions are obtainable from any office of the Gauteng Provincial Government (GPG).
27. Each bid must be submitted in a separate, sealed envelope on which the following must be clearly indicated:
 - NAME AND ADDRESS OF THE BIDDER;
 - THE BID (RFP) NUMBER; AND
 - THE CLOSING DATE.

The bid must be deposited or posted;

 - posted to Gauteng Provincial Treasury and to reach the destination not later than the closing time and date; OR
 - deposited in the tender box of the Gauteng Provincial Treasury before the closing time and date.
28. The Gauteng Provincial Government has become a member and as such a key sponsor of the Proudly South African Campaign. GPG therefore would like to procure local products of a high quality, produced through the practise of sound labour relations and in an environment where high environmental standards are maintained. In terms of the Proudly South African Campaign South African companies are encouraged to submit interesting and innovative achievements in the manufacturing field (if relevant to this RFP) – including information on new products, export achievements, new partnerships and successes and milestones.
29. **Compulsory GPG Contract:** It is a mandatory requirement that successful bidder/s (to whom a tender is awarded) sign a GPG Contract upon award of any given contract.



Provincial Supply Chain Management

Bid Commitment and Declaration of Interest

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PART B: BID COMMITMENT

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached RFP documents to the Gauteng Province of the Republic of South Africa, on the terms and conditions and in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of, and incorporated into, this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/We agree that -
 - (a) the offer herein shall remain binding upon me/us and open for acceptance by the Gauteng Provincial Government as represented by the Department requesting this proposal during the validity period indicated and calculated from the closing time of the bid;
 - (b) this bid and its acceptance shall be subject to the terms and conditions contained in the General Conditions of Contract and Preference Points Claim Form – General Conditions and Definitions of the Preferential Procurement Policy Framework Act - PPPFA (PREF 01) with which I am/we are fully acquainted;
 - (c) if I/we withdraw my/our bid within the period for which I/we have agreed that the bid shall remain open for acceptance, or fail to fulfil the contract when called upon to do so, the Province may, without prejudice to its other rights, agree to the withdrawal of my/our bid or cancel the contract that may have been entered into between me/us and the Province and I/we will then pay to the Province any additional expense incurred by the Province having either to accept any less favourable bid or, if fresh bids have to be invited, the additional expenditure incurred by the invitation of fresh bids and by the subsequent acceptance of any less favourable bid; the Province shall also have the right to recover such additional expenditure by set-off against moneys which may be due or become due to me/us under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me/us or on my/our behalf for the due fulfilment of this or any other bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such moneys, guarantee or deposit as security for any loss the Province may sustain by reason of my/our default;
 - (d) if my/our bid is accepted the acceptance may be communicated to me/us by letter or order by ordinary post or registered post and that SA Post Office Ltd shall be regarded as my/our agent, and delivery of such acceptance to SA Post Office Ltd shall be treated as delivery to me/us;
 - (e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my/our bid and that I/we choose domicile citandi et executants in the Republic at (full address of this place);

FULL ADDRESS	
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3. I/We furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our bid; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid documents and that the price(s) and rate(s) cover all my/our obligations under a resulting contract and that I/we accept that any mistakes regarding price(s) and calculations will be at my/our risk.
4. I/We hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the Principal(s) liable for the due fulfilment of any contract, which might be awarded based on this offer.
5. I/We agree that any action arising from this contract may in all respects be instituted against me/us and I/we hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me/us as a result of such action.
6. I/We declare that I/we have participation/no participation* in the submission of any other offer for the supplies/services described in this RFP document. If in the affirmative, state names(s) of bidder(s) involved
* Delete whichever is not applicable.

OTHER BIDDERS INVOLVED	
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7.

AUTHORISATION	INDICATE			
Are you duly authorised to sign the bid? (Also refer to RFP 01 – page 2)	Y		N	

8.

DECLARATION	INDICATE			
Has the Declaration of Interest (part B of this form: RFP 04) been duly completed?	Y		N	



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PROVINCIAL TREASURY
REPUBLIC OF SOUTH AFRICA

Provincial Supply Chain Management

Bid Commitment and Declaration of Interest

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PART B : DECLARATION OF INTEREST

9. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by state; and/or
- the legal person on who's behalf the bidding document is signed, has a relationship with persons/a person who are/is involved with 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 who's behalf the declarant acts and persons who are involved with the evaluation and / or adjudication of the bid

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

10.1 Full Name of Bidder or his/ her representative:	
10.2 Identity Number:	
10.3 Position occupied in the company : (director, trustee, shareholder ² , member)	
10.4 Registration number of company, enterprise, close corporation, partnership agreement or trust	
10.5 Tax Reference Number:	
10.6 Vat Registration Number:	
10.6.1 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 11 below.	

¹"State" means-

- a) any national and 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/business and exercises control over the enterprise.

10.7 Are you or any person connected with the bidder, presently employed by the state?				Y		N	
If so, furnish the following particulars	Name of person/Director/shareholder/member:						
	Name of Institution to which the person is connected:						
	Position occupied in the institution:						
	Any other particulars:						



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PROVINCIAL TREASURY
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Provincial Supply Chain Management

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10.8 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?	Y		N	
10.8.1 If yes, did you attach proof of such authority to the bid document? (Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid).	Y		N	
If no, furnish reasons for non-submission of such proof				

10.9 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?	Y		N	
If YES, furnish particulars				

10.10 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?	Y		N	
If so, furnish particulars				

10.11 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?	Y		N	
If so, furnish particulars				

10.12 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?	Y		N	
If so, furnish particulars				



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

Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Peral Number

DECLARATION

I, THE UNDERSIGNED (NAME).....CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 10.1 to 10.12 ABOVE IS CORRECT.

I ACCEPT THAT THE PROVINCE MAY ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

NAME & SIGNATURE OF BIDDER OR ASSIGNEE(S)		DATE		Position	
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Provincial Supply Chain Management

Declaration of Bidder's Past Supply Chain Management Practices

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- 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.**

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 <i>audi alteram partem</i> 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.		Y		N	
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.		Y		N	
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?		Y		N	
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?		Y		N	
If so, furnish particulars:					



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Declaration of Bidder's Past Supply Chain Management Practices

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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.

Name, Position & Signature of Bidder


DATE:
ADDRESS:

 <p>GAUTENG PROVINCE PROVINCIAL TREASURY REPUBLIC OF SOUTH AFRICA</p>	<h1>Provincial Supply Chain Management</h1>	
	<p>Special Conditions</p>	<p>Page 1 of 3</p>

RFP NUMBER	
RFP DESCRIPTION	
CUSTOMER DEPARTMENT	
CUSTOMER INSTITUTION	

THE FOLLOWING MUST ACCOMPANY YOUR BID, IF INDICATED BY "√"

Samples		<p>SABS /Equivalent Certificate May not be older than one (1) year, the cost of which will be for the account of the bidder.</p>		<p>Bidders Briefing Session</p>	
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 GAUTENG PROVINCE PROVINCIAL TREASURY REPUBLIC OF SOUTH AFRICA	<h1>Provincial Supply Chain Management</h1>	
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EVALUATION METHODOLOGY

Bidders must complete Compulsory documents and attach it to their tender document, failing which the tender shall not be considered for Stage 1 evaluation.

Points will be awarded in accordance with the Preferential Procurement Policy Framework Act (PPPFA)

Stage 1

Criteria for Functionality	Points
TOTAL	

NOTE: Bidders who fail to meet the above minimum requirements (Stage 1) shall be automatically eliminated


Stage 2

Criteria for Price and B-BBEE Status	Points
Bid Price	80
Preference Points	20
TOTAL	100

Bidders are required to use the two envelope bidding system, whereby the Technical Proposal (Stage 1) and Pricing and B-BBEE (Stage 2) be placed in two separate sealed envelopes marked:

- Stage One-

- Stage Two-

 <p style="font-size: 1.2em; font-weight: bold; margin-top: 10px;">GAUTENG PROVINCE</p> <p style="font-size: 0.8em; margin-top: 5px;">PROVINCIAL TREASURY REPUBLIC OF SOUTH AFRICA</p>	<h1 style="margin: 0;">Provincial Supply Chain Management</h1>		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 5px;">Special Conditions</td> <td style="width: 40%; padding: 5px;">Page 3 of 3</td> </tr> </table>	Special Conditions	Page 3 of 3
Special Conditions	Page 3 of 3		

SUPPLIER JOB CREATION ANALYSIS

Company Name		Date Est.	
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	Permanent	Temp	SA Citizens	Other	Comments
Staff compliment at Establishment of Enterprise					
Current staff compliment					
Number of jobs to be created if Bid is successful					

- The successful bidder may be audited during the course of the contract to verify the above information.

Comments to include:

- If Job Creation is direct (by your own company) or indirect (by your supplier)
- Where the jobs created for employees that were in existing positions or unemployed? (Net Job Creation)

NOTE: Job Creation should adhere to all applicable RSA Legislation and Regulations.

=====

THIS SECTION IS FOR OFFICE USE ONLY!						
Observations	Initial Job Count	Job Creation Potential	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Year 1						
Year 2						
Year 3						
Year 4						
Year 5						

PART 1: GENERAL CONDITIONS

1. DEFINITIONS

1.1. In this RFQ the following terms shall have the meanings assigned to them, unless the context requires otherwise:

Accessible	means public places must be accessible to individuals with disabilities through architectural design (such as ramps, wheelchair-wide doorways) and/or the use of assistive technologies;
Agreement	the Agreement to be entered between GIFA and the Private Party, being a service level agreement as contemplated in the supply chain legislation.
Broad Based Black Economic Empowerment (B-BBEE)	has the meaning ascribed thereto in Section 1 of the B-BBEE Act as read with the Codes of Good Practice for B-BBEE.
B-BBEE Legislation	means any statute, regulation, by-law, directive, notice, subordinate legislation, sector charters and the like having the force of law, relating to the empowerment and advancement of Black People.
Black People	means African, Coloured and Indian South African citizens as defined in B-BBEE; and "Black Person" means any such South African citizen.
Bid Evaluation Committee (BEC)	means the Committee established by GIFA to manage the Procurement Process on its behalf, consider the RFQ Submissions submitted by Respondents and to make recommendations to GIFA with regard to Pre-qualified Bidders.
Briefing Notes	means written documentation issued by GIFA to disseminate further instructions, programme changes, information updates and clarifications in relation to the Project entitled "Briefing Note" in the format specified in paragraph 22.3.
Business Days	means any day except a Saturday, Sunday or public holiday in South Africa.
Business Hours	means from 07h30 to 16h00 on Business Days.
CIDB	means Construction Industry Development Board

Closing Date	means the date and time specified on the document cover, as such date may be extended by GIFA in terms of paragraph 24.4.
Company	means a private company incorporated in the Republic of South Africa in terms of Companies Act.
Concession	means the contractual arrangement in terms of which the Private Party is granted an exclusive right to construct and operate the Tshwane Agro-Processing Hub on the identified land for a period agreed upon between the Private Party and TEDA in return for a Concession Fee payable by the Private Party to TEDA.
Concession Fee	means the charges payable by the Private Party to TEDA in return for access to the Project Site and for the right of utilisation of the Project Site for purposes contemplated in the Project as agreed upon between the Private Party and TEDA for the duration of the Concession.
Confidentiality Undertaking	means the confidentiality undertaking entered into by the Respondent prior to receiving the RFQ.
Consortium	means an association of natural and / or juristic persons whose sole and common purpose is to combine their expertise, property, capital, efforts, skill and knowledge for the execution of the Project Deliverables, and who shall jointly and severally assume the Private Party's rights to perform all of the Project Deliverables and shall concomitantly be jointly and severally responsible for the obligations attaching to the Private Party's rights to perform all of the Project Deliverables as if in a Joint Venture.
Contractual Close	means the date on which the Agreement is signed.
Control	in relation to any Enterprise, the ability directly or indirectly to direct or cause the direction of the votes attaching to the majority of its issued shares or interests carrying voting rights, or to appoint or remove or cause the appointment or removal of any directors (or equivalent officials) or those of its directors (or equivalent officials) holding the majority of the voting rights on its board of directors (or equivalent body).

DBFOM	means Design, Build, Finance, Operate and Maintain
Designated Member	means any member of the Respondent, identified by Respondent and in respect of which the Respondent submits credentials to be relied upon for pre-qualification, where such member is neither an Equity Member nor a Subcontractor.
Enterprise	means a partnership, close corporation, company, trust or any other form of legal entity recognised by law as a medium through which activities relating to the Project may be engaged in.
Equity Members	means Enterprises that have committed to participate in this Project as Consortium or Joint Venture partners, or shareholders in the SPV (as the case may be) and that have duly authorised the Lead Member in submitting its RFQ Submission.
Financial Close	means the date on which the Private Party is entitled to make its first draw-down on the debt funding facilities provided to the Private Party in relation to the Project.
Joint Venture	means a Consortium of natural and / or juristic persons which forms a special purpose vehicle, whether or not incorporated in the Republic of South Africa in accordance with applicable law, for the sole purpose of exercising its rights and performing its obligations as contemplated in the Project.
Lead Member	means the Enterprise authorised by the persons and/ or Enterprises constituting the Respondent to sign its RFQ Bid and bind the members of the Respondent.
Participating Enterprise	means collectively the participants in the Project from the Respondents perspective, namely the Equity Members, Subcontractors and Designated Members.
Participation Ratio	means the percentage interest which a participant in a consortium will have in the ultimate vehicle or structure which delivers the Project.
Passive Shareholders	means any natural or juristic person, trust, scheme, board or other institution, including a lender and, notwithstanding any law to the contrary, any public entity schedule entities listed in the Public Finance Management Act or schedule 3 entities listed in the Public Finance

	Management Act, holding Equity and which is, either itself or any of its Affiliates, not a party to a Subcontract.
PFMA	means the Public Finance Management Act, 1999, as amended, and all Regulations enacted pursuant thereto.
PPP	means Public Private Partnership
Preferred Bidder	means a bidder selected by GIFA following the RFQ and RFP submission
Pre-qualified Bidder	means Respondents who submit Responses that are shortlisted and are sufficiently experienced and committed organisations which meet the technical, financial, socio-economic and other requirements of GIFA in terms of this RFQ
Private Party	means the successful Pre-qualified Bidder who is awarded the right to undertake the Project and conclude the Agreement with GIFA.
Procurement Process	means the process through which GIFA will ultimately procure a private party to enter into a DBFOM arrangement to design, build, finance, operate and maintain the Tshwane Agro-Processing Hub at the site chosen for this purpose.
Project	means the design, financing, construction, operation and maintenance of the Tshwane Agro-Processing Hub on the site chosen for this purpose.
Project Team	means the Advisory Team and representatives assigned from GIFA in order to procure the Project.
Respondent	means the party who submits a Response to the RFQ.
Respondent Advisors	means the legal, financial, technical, BEE, and other advisors appointed by the Respondent to advise it in connection with the Project and its submissions in relation thereto.
Response	means any Response submitted by a Respondent in response to the invitation contained in the RFQ.
RFQ	means this Request for Qualification and Response documents and all annexures, schedules and other appendices to it and any briefing notes issued in respect of it from time to time.

RFQ Submission	means the response submitted by a Respondent in response to the invitation contained in the RFQ.
Submission Closing Date	means 11am on the 17th January 2017
RFP	means the Request for Proposal and Response documents and all annexes, schedules and other appendices to it and any Briefing Notes issued in respect of it, from time to time.
Site	means: Portion 137 of the Farm Elandshoek 337-JR, Deed of Transfer (T161601/2007) in which the subject property is held, the property is registered in the name of the City of Tshwane Metropolitan Municipality.
South Africa	means the Republic of South Africa as recognised in the Constitution and "South African" means a citizen of South Africa.
Special Purpose Vehicle or SPV	means a limited liability company to be incorporated by the Private Party in accordance with the company laws of South Africa, for the sole purpose of entering into and implementing the Project.
Subcontractors	means subcontractors to the Private Party to enable it to deliver the Project.
TEDA	means Tshwane Economic Development Agency Ltd (TEDA), established as a municipal entity of the City of Tshwane Metropolitan Municipality (CoT) on 2 November 2006, and operates as a State Owned Company registered in terms of the Companies Act.
Transaction Advisors	means the team of specialists appointed by GIFA in terms of Regulation 16 of the PFMA regulations to assist and advise GIFA on the preparation, procurement and implementation of the Project.
Universal design	means architectural design of a device, physical plant or workplace environment which is intended to be used by all, i.e. does not represent an impediment for persons with disabilities; and

Value for Money means the value accruing to GIFA through execution of the Project by the Private Party relative to if GIFA were to execute the project on its own, and such value as determined based on cost, price, quality, quantity and risk transfer or a combination thereof

1.2. Further:

- 1.2.1. words importing one gender include the other two genders, and words importing the singular include the plural and vice versa;
- 1.2.2. "enactment" means any statute or statutory provision of South Africa and any other subordinate or delegated legislation including, regulations or guidelines made under any such statute or statutory provision;
- 1.2.3. a reference to any enactment shall be construed as including a reference to any enactment which such subsequent enactment has directly or indirectly replaced (whether with or without modification), and that enactment as re-enacted, replaced or modified from time to time, whether before, on or after the date of this RFQ;
- 1.2.4. a list of contents and headings to the parts and paragraphs of this RFQ are for ease of reference only and shall not affect the interpretation of this RFQ; and
- 1.2.5. the Parts form part of this RFQ, and have the same force and effect as if expressly set out herein.

2. DISCLAIMER AND TERMS OF ISSUE OF RFQ

- 2.1. This Request for Pre-Qualification is made available by GIFA to interested parties who wish to respond to this RFQ. This RFQ overrides all other GIFA communications, if any, to Respondents about this Project.
- 2.2. GIFA issues this RFQ on behalf of TEDA as the first formal step in procurement process to ultimately procure a Private Party (or parties) to enter into an agreement to Design, Build, Finance, Operate and Maintain the Tshwane Agro-Processing Hub
- 2.3. This RFQ is made available to interested parties on condition that it is used solely in connection with the process set out in this RFQ and for no other purpose.
- 2.4. Any estimates or projections contained in this RFQ have been prepared by GIFA and its advisors and involve elements of substantial subjective judgment and analysis, which may or may not be correct. Neither GIFA, nor any of its respective officials, employees, agents, representatives or advisers make any representation or warranty or give any undertaking, express or implied, or accept any responsibility or liability whatsoever, as to the content, accuracy or completeness of the information contained in this RFQ, or any other written or oral information made available in connection with this process and nothing contained herein is, or shall be relied upon as, a promise or representation, whether as to the past or the future. GIFA will make only those particular representations and warranties set forth in the definitive transaction documents (including, without limitation, the DBFOM Agreement) when, and if, such definitive transaction documents are ultimately agreed and executed, and subject to such limitations and restrictions as may be contained therein.
- 2.5. GIFA reserves the right to amend, modify or withdraw this RFQ or terminate any of the procedures or requirements during the Procurement Process of the Project in respect of which this RFQ has been issued, at any time, on reasonable prior notice to all Respondents but without liability to compensate or reimburse any person in relation thereto.
- 2.6. The RFQ documents may not contain all the information that may be required to evaluate a possible submission of a RFQ Submission or response to a subsequent RFP. Each Respondent should conduct its own independent analysis of the envisaged operations and the relevant data supplied or referred to herein or that have been obtained during its investigations. Neither GIFA nor any of its respective, officials, employees, agents, representatives or advisers intends to update or otherwise revise these RFQ documents or other material supplied or accept any obligation to provide Respondents with access to any additional information or to correct any inaccuracies which may become apparent in the RFQ documents or in any other information which may be made available.

- 2.7. Any party considering bidding for the Project should seek its own independent technical, financial, legal and other advice.
- 2.8. Receipt of the RFQ documents does not confer any right on any party in respect of any aspect of the Project as a result of their participation in the Procurement Process. GIFA reserves the right, in its sole discretion, to withdraw by notice to Respondents any aspect of the Project, to terminate any party's participation in the Procurement Process or to accept or reject any submission on notice to the Respondent without liability to any party.
- 2.9. Should there be any difference between GIFA and the Respondent regarding the interpretation of any provision of this RFQ, the Respondent shall accept GIFA's interpretation thereof.
- 2.10. No verbal discussion with any staff or advisor of GIFA can change, add to or clarify any of the terms and conditions contained in this RFQ. Respondents should only rely on written communication, contained in Briefing Notes.
- 2.11. Respondents are responsible for all costs related to the submission of a RFQ. GIFA will not compensate Respondents for any costs, regardless of the outcome of the Procurement Process.
- 2.12. GIFA may also make other changes to the RFQ, or add to it, or provide clarification, at any time. GIFA may cancel the RFQ process at any time without prior notice.
- 2.13. GIFA will not be responsible for any costs or damages whatsoever if it makes any changes to the bid, cancels the Procurement Process or disqualifies any Respondent. GIFA will not be responsible for any costs or damages whatsoever if it exercises any other rights as described in this RFQ or available to it under the laws of the Republic of South Africa.
- 2.14. Participants in a Consortium, excluding prospective lenders, submitting a bid in response to this RFQ may not directly or indirectly hold an interest in any other consortium submitting a bid for the same Project.
- 2.15. This RFQ and any RFQ shall be subject to and governed by the laws of the Republic of South Africa.

3. THE PURPOSE OF THE RFQ

3.1. Issuance of the RFQ

- 3.1.1. GIFA issues this RFQ on behalf of TEDA as the first formal step in the procurement process to ultimately procure a Private Party (or parties) to enter into a DBFOM agreement for the Financing, Designing, Building, Operations and Maintenance of the Tshwane Agro-Processing Hub at the site chosen for this purpose.
- 3.1.2. The project is being procured and this RFQ is being issued in accordance with GIFA's procurement policies, supply chain management regulations as well as the PFMA.

3.2. Objective and Purpose of RFQ

- 3.2.1. The objective of this RFQ is to provide prospective Respondents with sufficient background information in relation to the Project (i) to allow them to take an informed decision as to whether to continue with the procurement process, and (ii) for those who wish to proceed, to allow them to submit a full and informative Response which will allow GIFA to gain an understanding of the financial and technical status, previous experience and empowerment credentials of Respondents, if any.
- 3.2.2. The purpose of this RFQ is to allow GIFA to establish a shortlist of Pre-qualified Bidders who are adjudged to be sufficiently experienced and committed organisations which meet the technical, financial, socio-economic and other requirements of GIFA. GIFA therefore seeks Responses from experienced and committed consortia and/or organisations who wish to be pre-qualified and in due course be given the opportunity to bid to undertake the Project.

3.3. Outline of the Project Procurement Process

- 3.3.1. GIFA has elected to employ a two-stage project procurement process, namely a pre-qualification stage (this RFQ), to be followed by a RFP response submission stage.

3.3.2. Responses to this RFQ (unless rejected in accordance with clause 17, Incorrect or Misleading Information) will be evaluated (in accordance with the process described in the Evaluation Process below) to produce a shortlist of pre-qualified Respondents;

3.3.3. Only Pre-qualified Bidders will be invited to submit a proposal to the RFP(s) that will be issued in due course; and

(NB.: Should there be at least one responsive qualified bidder from the RFQ, the next stage, being the RFP (Request for Proposal) will proceed within the prescribed Treasury processes whilst taking cognizance of the PFMA & MFMA)

3.3.4. A Preferred Bidder will then be selected for each RFP issued.

3.4. Outline of RFQ

3.4.1. This RFQ sets out:

- a) the purpose of this RFQ process;
- b) an overview of the Project, including its background;
- c) the procurement objectives, facility and service requirements and the proposed commercial arrangements;
- d) the instructions to Respondents; and
- e) the evaluation process.

3.4.2. This RFQ is issued by GIFA to all persons who are Respondents to the advertisement issued for the purpose of procuring the Project.

4. NON-ELIGIBLE PERSONS

- 4.1. Any RFQ Submission including the involvement of:
- 4.1.1. any person blacklisted by the National Treasury under the Register for Tender Defaulters in terms of Government Notice 194 of 11 March 2005 issued in terms of the Prevention & Combating of Corrupt Activities Act, 2004; will be prohibited from qualification;
 - 4.1.2. any person listed on the Disqualified Director's Register (maintained by the Companies and Intellectual Property Commission) in terms of section 69(13) of the Companies Act, 2008, available on www.cipc.co.za; will be prohibited from qualification;
 - 4.1.3. any person in the employment of the State, or if that person is not a natural person, a person of which a director, manager, principal shareholder or stakeholder, is a person in the service of the State or a person who is an advisor or consultant contracted with GIFA, as set out in the supply chain management Regulations will be prohibited from qualification; and
 - 4.1.4. any person who is a proprietor, director, partner or associate of Respondent and who has ever been convicted of a criminal offence relating to conduct of that business or committed an act of grave misconduct in the course of that business.
 - 4.1.5. The participation of not-for-profit entities in any RFQ Submission shall be left to the discretion of the Respondent.

5. PRE-QUALIFICATION OF THE RESPONDENT

- 5.1. The Respondent is hereby invited to submit a RFQ Submission for selection as a Pre-Qualified Bidder.
- 5.2. Only those Respondents selected as Pre-Qualified Bidders shall be entitled to bid for the Project in response to the RFP.
- 5.3. No person, advisor to a person may be a member of, or in any way participate in or be involved with (either directly or indirectly) more than one Respondent (including all Participating Enterprises) at any stage during the Procurement Process without GIFA's prior written consent, which may be granted or refused in its sole and absolute discretion.
- 5.4. No person (including both Enterprises and natural persons) currently employed by either GIFA or any member of the Project Team may advise the Respondent or its Participating Enterprises. The Respondent warrants by virtue of it submitting a RFQ Submission that no such person has advised the Respondent or its Participating Enterprises or is a member of such Respondent.
- 5.5. Failure to comply with 5.3 and 5.4 may result in the disqualification of the Respondent, or any person involved with that Respondent or the advisors of either the Respondent or that person, which disqualification shall be solely in GIFA's discretion.

6. ACKNOWLEDGEMENT OF LAW

- 6.1. Each Respondent is required to be fully acquainted with the laws of South Africa (including without limitation all statutes and regulations on a national, provincial and municipal level) in relation to the subject matter of the Project, and that it will comply with such laws.
- 6.2. GIFA has taken legal counsel and is of the view that it is authorised to procure the Project. Furthermore, Respondents should take note that GIFA reserves the right to terminate the procurement process at any stage, and in the event that this happens, all parties in the procurement process shall bear their own costs.

7. LEGAL PERSONALITY OF RESPONDENT / SUBCONTRACTING

- 7.1. While it is acknowledged that for the purposes of submitting a RFQ Submission and for the purposes of submitting a bid under the RFP, a Respondent may constitute a consortium or joint venture, it is assumed that such consortium shall convert into a SPV, with the various consortium members becoming Equity Members of the SPV upon appointment as a Preferred Bidder.
- 7.2. No change is permitted to the organisational structure of any Respondent (including its Participating Enterprises) after submission of its RFQ Submission without the prior written consent of GIFA.
- 7.3. A Respondent must forthwith notify GIFA in writing should it intend to change its membership or structure from that set out in its RFQ Submission, with full details of the reason for the change, the parties involved and the impact on the Respondent's profile.
- 7.4. In the event that the Respondent (or its Participating Enterprises) undergoes a change in its membership, composition or Control, GIFA reserves the right to require the relevant Participating Enterprise to supply such further information with regard to such change as to enable GIFA to consider the impact of such change fully.
- 7.5. If an event contemplated in paragraph 7.4. above occurs, the Respondent shall be required by GIFA to re qualify in accordance with the terms of this RFQ, which re qualification shall be in GIFA's sole discretion but in respect of which GIFA shall apply the same evaluation criteria. If satisfactory, GIFA will advise the relevant consortium in writing. Upon being notified by GIFA that it has re qualified, such Respondent shall constitute a Post Qualified Respondent.
- 7.6. GIFA is not obliged to consider any extension of time in relation to any stage of the Procurement Process on the account of any change in the Respondent (as contemplated above). Should GIFA decide that it would not be able to complete the re-qualification contemplated in paragraph 7.5. above, GIFA, in its sole discretion, may reject the changes to the organisational structure of the Respondent.
- 7.7. The RFQ evaluation process and criteria applicable to the Respondent shall similarly apply to any person seeking to qualify as a Post-Qualified Respondent.
- 7.8. GIFA shall notify any person seeking to become a Post-Qualified Respondent and the Respondent concerned, whether or not it is successful in its application, as soon as is reasonably possible after receipt of all information required from such person, and the decision of GIFA in this regard shall be in its sole discretion, shall be final and binding, and not subject to appeal.

- 7.9. Any decision with regard to a Post-Qualified Respondent shall be announced to all the other Pre-Qualified Bidders by GIFA.
- 7.10. Should the composition or Control of a Respondent or its Equity Members change without GIFA's prior written consent, GIFA shall be entitled in its sole discretion to disqualify the Respondent from participating in any further stage of the Procurement Process, or to allow the Respondent to continue in the Procurement Process, subject to such conditions as GIFA determines appropriate.
- 7.11. Each Respondent shall bear all of its costs (of whatsoever nature) associated with the preparation of its RFQ Submission.

8. REQUIREMENTS FOR CONSORTIA / JOINT VENTURES

- 8.1. Should a group of companies/firms/trusts and/or interested parties wish to enter into a Consortium/Joint Venture the following minimum requirements must be met:
- 8.2. A copy of the Joint venture/Consortium agreement must be attached;
- 8.3. Each member of the Joint Venture/Consortium must provide a Tax Clearance Certificate;
- 8.4. The Consortium/Joint Venture will qualify for points of their BBBEE status level as a legal entity, provided that the entity submits their BBBEE status level certificate; and
- 8.5. A Consortium/Joint Venture will qualify for points for their BBBEE status level as an unincorporated entity, provided that the entity submits their consolidated BBBEE score cards if they were a group structure and that such a consolidated BBBEE scorecard is prepared for every separate tender.
- 8.6. The Consortium/Joint Venture agreement must, as a minimum, contain the following:
 - 8.6.1. particulars of the managing member;
 - 8.6.2. particulars of the duly authorized signatory;
 - 8.6.3. details relating to percentage split of the profit share;
 - 8.6.4. the bank account details where payments will be deposited into;
 - 8.6.5. the agreement must be signed by all parties to the Consortium/Joint Venture;
 - 8.6.6. the agreement must be certified by a commissioner of oaths; and
 - 8.6.7. the agreement must contain details of the postal and physical address where all correspondence will be sent to.

9. BID BOND AND BID COSTS

- 9.1. To mitigate the risk of Pre-Qualified Bidders dropping out of the process after RFP submission, GIFA will require that a Bid Bond be secured through a local financial institution in the amount to be specified in the RFP. Such Bid Bond is to be provided by all Pre-Qualified Bidders when making a submission in response to a RFP issued by GIFA.
- 9.2. A formal appointment as a Pre-Qualified Bidder will be contingent on the provision of the Bid Bond being provided to GIFA in an approved format. A Respondent and/or Pre-Qualified Bidder shall bear all the costs associated with the preparation and submission of its Response and/or Proposal(s).

10. ADVISERS AND LENDERS

- 10.1. In order to prevent a conflict, or potential conflict of interests, no adviser or consultant (including any holding, subsidiary company, or other company in such group) to any Pre-Qualified Bidder or any Member shall be entitled to fulfil (whether in part or in whole) the role of arranger, underwriter and/or lead bank to a Bidder or any Member. For the avoidance of any doubt, an adviser on the one hand and an arranger, underwriter or lead bank on the other, may not be part of the same (banking) group. A failure to comply with this restriction may result in the disqualification of all the advisers, consultants, Pre-qualified Bidders, Preferred Bidder, Reserve Bidder, Member or any other organisations involved.
- 10.2. No adviser, Lender or any other party (or entity) may be a member of, or in any way participate or be involved, whether directly or indirectly, in more than one Respondent, Pre-qualified Bidder or Bidder for this particular Project, during any stage of the procurement process.
- 10.3. In response to this RFQ, Respondents are not required to team-up with Lenders in their Proposals and are not encouraged to submit any Lender letters of comfort or support in their Response. Further particulars regarding the Lenders' participation will be set out more fully during the RFP stage. For the avoidance of doubt, GIFA will not disqualify Respondents who submit such Lenders' letters of comfort or support with their Response.

11. GIFTS, HOSPITALITIES AND PAYMENTS

- 11.1. Neither the Respondent, its Participating Enterprises, nor any of their employees, agents, lenders or advisors shall directly or indirectly offer or give to any person in the employment of GIFA or any other government official or any of the Project Team any gift / hospitality or consideration of any kind.

- 11.2. In the event that any of the prohibited practices contemplated under paragraph 11.1 above is committed, GIFA shall be entitled to terminate that Pre-Qualified Bidder's status and to prohibit such Respondent, its Participating Enterprises and their agents, lenders and advisors from participating in any further part of the procurement of the Project.

12. RFQ DOES NOT CONSTITUTE CONTRACT

- 12.1. This RFQ does not constitute an offer to enter into a contractual relationship with any Respondent, but is merely a solicitation of RFQ Submissions to select the Pre-Qualified Bidders, who shall be entitled to bid for the Project in response to the RFP.
- 12.2. No RFQ Submission shall constitute an offer to enter into any contractual relationship with GIFA, but shall constitute an offer to be appointed as a Pre-Qualified Bidder in relation to the Project. Notwithstanding an appointment as a Pre-Qualified Bidder, the Respondent has no rights, expressed or implied with respect to any of the elements of the Project as a result of their participation in the RFQ process.
- 12.3. All correspondence from the Respondent shall be addressed to the Point Of Contact and shall be signed by the person authorised in terms of paragraph 15, and shall be legally binding on the Respondent. All such correspondence must clearly indicate the name of the signatory, their position, the name of their organisation and all relevant and most recent contact details.

13. RFQ DOES NOT CONSTITUTE AN INVESTMENT RECOMMENDATION

- 13.1. This RFQ is provided solely for the purpose set out in this document and is not intended to form any part or basis of any investment decision by Respondents. The recipient should not consider this document as an investment recommendation by GIFA or any of its officials, officers, employees or advisers. Each person to whom this document (and other subsequent procurement documents) is made available must make his, her or its own independent assessment of the Project after making such investigation and taking such professional advice as he, she or it deems necessary. Neither the receipt of this document or any related document by any person, nor any information contained in the documents or distributed with them or previously or subsequently communicated to any Respondent or its advisers, is to be taken as constituting the giving of investment advice by GIFA or its officials, officers, employees or advisers.

14. NO COLLUSION

- 14.1. The attention of each of the Respondents, its Equity Members, as well as its advisors and agents is drawn to Section 4(1) (b)(iii) of the Competition Act, 1998, which prohibits collusive tendering.

- 14.2. In submitting a RFQ Submission, each of the Respondents and its Equity Members certifies that its RFQ Submission:
- 14.3. has been prepared without consultation, communication or agreement for restricting competition with any other Respondent, member of another Respondent, or any other competitor or potential competitor;
- 14.4. has not been disclosed by it, nor will it be disclosed by it to any other Respondent, member of another Respondent, or any competitor or potential competitor; and
- 14.5. no attempt has been made or will be made by it to induce any other person not to submit a RFQ Submission for the purpose of restricting competition.
- 14.6. Any Respondent found to violate the above conditions will be subject to disqualification, which decision shall be in GIFA's sole discretion.

15. NO CONTACT POLICY

- 15.1. Respondents, Members, their agents and advisers and related parties must not contact the employees, advisers of GIFA or any of GIFA official(s) (except the official referred to in the Bid Notice above for those purposes) who may be associated with the Project or its solicitation, without the prior written approval of GIFA, save in the case of pre-existing commercial relationships, in which case contact may be maintained only with respect thereto and, in making such permitted contact, no party may make reference to the Project or its solicitation.
- 15.2. This No Contact Policy does not apply to any information deemed to be in the public domain or which is readily available from organs of State, which are the repository of such public information.

16. NON-COMPLIANCE

- 16.1. Any material failure on the part of a Respondent to comply with the terms of this RFQ, read together with all Briefing Notes, may result in its RFQ Submission being treated as non-compliant.
- 16.2. GIFA reserves the right to reject any non-compliant RFQ Submissions without further evaluation and undertakes to follow a procedurally fair process in reaching this decision.
- 16.3. Any RFQ Submission received without all information or data requested in terms of this RFQ, or with insufficient information for substantive evaluation thereof, will be marked as incomplete and may in GIFA's sole and absolute discretion be rejected.

17. INCORRECT OR MISLEADING INFORMATION

- 17.1. The Evaluation Committee may disqualify any Respondent and/or revoke any decision in respect of the pre-qualification of any Respondent if such decision was based on incorrect information which the Respondent or any of their constituent members, advisers and/or agents, provided in response to this RFQ.

18. OTHER GROUNDS FOR DISQUALIFICATION

- 18.1. The following events, in addition to any other events contained in this RFQ, constitute (without being exhaustive) those grounds upon which a Respondent or Bidder (or if appropriate in GIFA's determination, any member thereof) may be disqualified at any stage of the Project programme procurement process –
 - 18.1.1. an infringement of the confidentiality undertaking by any Respondent, member or any director, officer, agent, trustee or adviser of the Respondent and/or member;
 - 18.1.2. past, present, or future participation by any Respondent, member or any director, officer, agent, trustee or adviser of the Respondent and/or member in any activity which may constitute corruption, bribery or impropriety, during the Project procurement process, or any other Government procurement process;

- 18.1.3. An infringement by any Respondent, member or any director, officer, agent, trustee or adviser of the Respondent and/or member of any one or more of clause 15 (No Contact Policy) above or clause 17 (Incorrect or Misleading Information) or any portion of such clause(s).

19. SIGNING REQUIREMENTS

19.1. Single Enterprise:

- 19.1.1. Where a Respondent constitutes a single Enterprise, those persons duly authorised to bind such Enterprise are to sign the original RFQ Submission.
- 19.1.2. As proof of authority, the persons signing the original RFQ Submission shall each provide a certified copy of the resolution of the board of directors or its equivalent of the organisation concerned, in the form set out in Part 3 of this document.
- 19.1.3. Included in each RFQ Submission shall be a statement by the signatories to the RFQ Submission to the effect that all documentation forming part of the RFQ Submission is factually true and correct, that the RFQ Submission shall remain valid for a period of at least 180 (one hundred and eighty) days after the Closing Date and that the Respondent and its Equity Members agree to be bound by the terms of this RFQ.

19.2. Consortia and Joint Ventures

- 19.2.1. In the event that a RFQ Submission is made by a consortium or joint venture, the RFQ Submission is to be signed by the Lead Member who is duly authorised to do so by the other consortium members in terms of the statement contained in Part 3 of this document.
- 19.2.2. A declaration setting out (to be done in the form set out in Part 3 of this document):
- 19.2.2.1. proof of authorisation of the Lead Member to act on behalf of its consortium or joint venture by way of a certified copy of the resolution of the board of directors or its equivalent of each of the Equity Members;

- 19.2.3. a statement by the Lead Member to the effect that all documentation forming part of the RFQ Submission is factually correct and true, that the RFQ Submission shall remain valid for a period of at least 180 (one hundred and eighty) days after the Closing Date; and
- 19.2.4. that the Respondent and each member of the Respondent agree to be bound by the terms of this RFQ;
- 19.2.5. The Lead Member shall be the only person authorised to make statements on behalf of and receive instructions for the members of the Respondent.
- 19.2.6. A copy of the agreement entered into by the consortium partners or joint venture partners for the purposes of forming a consortium or joint venture or SPV shall be submitted with the RFQ Submission, which agreement must clearly set out the relationship between the parties thereto and authorise one of the partners to be the Lead Member for that Respondent.

20. GIFA'S DISCRETION

- 20.1. Where it is stipulated in this RFQ that GIFA's prior written consent shall be required, the determination by GIFA as to whether to grant or refuse such consent shall be in GIFA's sole and absolute discretion, and subject to applicable law, and the decision with regard thereto shall be final and binding.

21. INCONSISTENCY

- 21.1. If the Respondent identifies any ambiguities, errors or inconsistencies in this RFQ, the Respondent undertakes to notify the Point Of Contact in writing accordingly, and GIFA undertakes to provide clarification as to the intended position to all Respondents by way of a Briefing Note.

22. FURTHER INFORMATION

- 22.1. GIFA reserves the right to seek additional information from the Respondent, as it may in its sole discretion determine, whether such information has been requested under this RFQ or otherwise, and may require the Respondent to make oral presentations for clarification purposes or to present supplementary information if so required.
- 22.2. GIFA may issue additional information regarding this RFQ on an ad hoc basis, which information shall be provided in the form of Briefing Notes.
- 22.3. Briefing Notes will be sequentially numbered and will indicate whether they supplement, vary or amend any portion of the RFQ. All Briefing Notes shall be communicated to the Respondent via fax and/or email at the number or address provided by the Respondent. The Respondent is advised to promptly acknowledge receipt thereof to the Point Of Contact. The Respondent shall ensure that its RFQ Submission is prepared taking into account all such Briefing Notes.
- 22.4. Any oral instructions or comments of any nature by either GIFA, the Advisory Team or any of their representatives, shall have no standing with regard to this RFQ, unless and until they have been confirmed by way of Briefing Notes.
- 22.5. GIFA accepts no responsibility for the failure of the Respondent to receive a Briefing Note issued, whether by virtue of the Respondent's contact details provided being incorrect or otherwise.

23. CLARIFICATION PROCESS

- 23.1. Any queries relating to this RFQ or project procurement process should be addressed by letter, fax or email, email to be received by no later than 48 hours before closing marked for the attention of the contact person identified in the Bid Notice. Queries will be responded to in writing, and the written query and response will be distributed to those prospective Respondents who have registered their interest and attended the briefing session.

24. SUBMISSION OF BID DOCUMENTS

- 24.1. The RFQ, shall be submitted to GIFA no later than the Closing Date and time specified in accordance with the directions issued in the Bid Notice. Late Submissions will not be considered.
- 24.2. The RFQ shall be delivered in a sealed envelope in accordance with the instructions indicated in the RFQ Document, with the RFQ Number and subject marked on the front of the envelope.
- 24.3. The Respondent's return address must be stated on the reverse side of the sealed envelope
- 24.4. The Respondent must deposit a complete RFQ Submission in the tender box, as per the instruction contained in the Bid Notice, on or before the RFQ Submission Deadline. RFQ Submissions submitted after such time will be disqualified from consideration.

25. BID VALIDITY PERIOD

- 25.1. Respondents must hold their RFQ submission valid for acceptance by GIFA at any time within the requested validity period after the Closing Date.
- 25.2. Respondents may be requested to extend their validity period for a specified additional period.
- 25.3. In such instances, Respondents will not be allowed to change any aspect of their Bid, unless they are able to demonstrate that the proposed change(s) is a direct and unavoidable consequence of GIFA's extension of the validity period.

PART 2: PROJECT DESCRIPTION

1 STRATEGIC GOALS OF THE PROJECT

The Tshwane Economic Development Agency (TEDA) has been established to stimulate economic growth and development in the City of Tshwane. The Agricultural sector is one of the tradable sectors in the City of Tshwane with huge potential for employment creation, growth and development. The agricultural economic activity that exists in the City contributes towards both the local and national economy, however with large tracts of arable farm lands, the City is not producing nearly enough primary products. It is on this premise that the Agro-processing hub will be poised to provide access to market in the medium to long term for small holder farmers. The beneficiation of agricultural products is one of the strategic goals of the City of Tshwane and will be supported with the provision of municipal services. By and large, it is expected that the private sector will utilise its industry expertise and network and to solicit market share. There are also various incentives accessible from the Department of Trade and Industry in favour of stimulating this sector and Agro-processing in particular.

2 PROJECT BACKGROUND

The government of SA seeks to transform the country's economy into a globally competitive industrial economy, built on the full potential of all citizens and regions. The government's agro processing agenda is presented in the NDP, NGP and the IPAP. It calls for job creation, prioritization of industrial sectors and a range of interventions to accelerate economic growth and fight poverty, inequality and unemployment. The key benefits that will be realised through the implementation of the Agro Processing Hub include:

- **Job opportunities** in the entire value chain of the agriculture sector;
- **Promotion and investment** in the agro-processing sector of the Gauteng Province;
- **Improvement in competitiveness** of the local economy by optimally using the local resource base and locational advantages;
- Stronger **integration between the different economic sectors**
- Enhancement of local **businesses / enterprises and skills development** for the agro-processing industries; and
- Promotion of **overall growth and development** of the agro-processing industries.

The Tshwane Economic Development Agency (TEDA) has identified a potential opportunity to establish an Agro-processing hub within the confines of the City of Tshwane (CoT). The proposed facility will focus on the processing of agricultural output from the CoT and surrounding areas to produce food and beverage related products. It is anticipated that the envisaged hub will capitalise on the large tracts of available farm land in the City, and the Tshwane Fresh Produce Market, to create a facility that will lead to significant job creation and economic development within CoT.

The provision of this operating space (Hub) will focus on a combination of mass food processing and niche food processing opportunities. **Nine (9) food processing opportunities were identified i.e. powdering, mixing and packaging, drying, canning, Pastes, Juicing, Bottling, Dairy, Jam and Chutney.** A Pre-feasibility study and business plans for every opportunity was conducted and completed by the Council of Scientific and Industrial Research (CSIR).

The location for the proposed Agro-Processing Hub, is in Region 5 Rayton, within the jurisdiction of CoT, in portion 137 of the Farm Elandshoek 337-JR, measuring approximately 8.6 ha in extent.

2.1 Project History and Rationale

According to the Food and Agricultural Organisation (1997), “Agro-processing industry is a subset of manufacturing that processes raw materials and intermediate products derived from the agricultural sector. Agro-processing thus means transforming products that originate from agriculture, forestry and fisheries.” The Standard Industrial Classification also categorises the following eleven divisions under the agro-processing industry: food, beverages, paper and paper products, wood and wood products, textiles, wearing apparel, furniture, tobacco, rubber products, footwear and leather and leather products.

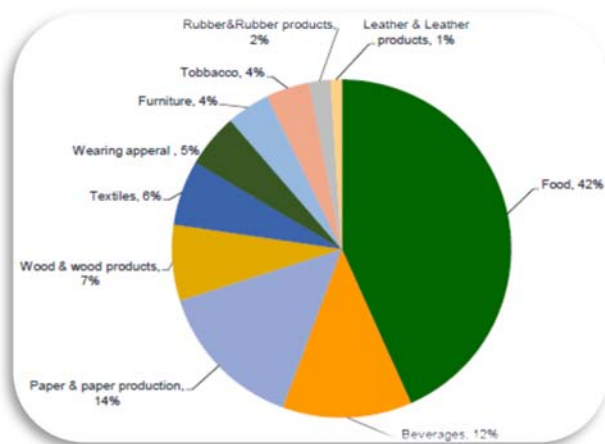


Figure 1.1: Composition of total output in the agro processing industry (Source: Stats SA)

In South Africa, several government interventions and investments are geared towards growing this industry, thus giving a solid foundation for the empowerment of stakeholders such as smallholder enterprises to participate in the mainstream economy of the Country.

Agro-processing is known for its strong up - and downstream linkages. Upstream, the sector links to primary agriculture across a variety of farming activities and products. Downstream, agro - processing outputs are both intermediate products to which further value is added and final goods that are marketed through wholesale and retail chains.

2.2 GAUTENG INFRASTRUCTURE FINANCING AGENT'S (GIFA's) Objectives

GIFA's mission is to provide cost effective services which promote sustainable livelihood through socio economic development and good governance. Together with TEDA, upon identifying the need for the Tshwane Agro-processing hub, GIFA decided to investigate the possibility of pursuing a project aimed at the construction and operation of such facilities. A feasibility study was conducted on behalf of the City of Tshwane.

The results of a comprehensive Feasibility Study undertaken to test viability of the project found the project to be viable, demonstrating value for money and appropriate risk transfer.

It is on the basis of these findings that TEDA, in conjunction with other key project stakeholders, seeks to make land available to a Private Party on which the Private Party would design, build, finance, operate and maintain the Hub facility, at their own risk. The Private Party would receive revenue in the form the agro - processing facility operations and of lease payments, which, subject to final negotiations, may or may not include guaranteed occupancy agreements concluded with entities that are keen to utilise the facility.

The subject property **Portion 137 of the Farm Elandshoek 337-JR** has been assessed to be a suitable location for the establishment of the proposed agro-processing hub. Agro processing hubs are defined as subset of manufacturing that processes raw materials and intermediate products derived from the agricultural sector. In terms of Deed of Transfer (T161601/2007) in which the subject property is held, the property is registered in the name of the City of Tshwane Metropolitan Municipality.

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3 PROJECT SCOPE

The Preferred Bidder will be required to design, build, finance, operate and maintain an Agro processing Hub facility to include inter alia the following:

- Factory Buildings/Warehouses
- Internal roads, water and sewer reticulations
- Electronic installations
- Environmental Works
- Waste management
- Landscaping
- Mechanical Installations
- Production Equipment
- Non Processing Equipment
- Quality Management Equipment

The Preferred bidder is expected to include, inter alia, a team comprising the following:

- Funding Source
- Professional Financial Team
- Professional Design Team for all engineering discipline
- Experienced Construction Team

4 PROJECT SITE

The location for the proposed Agro-Processing Hub, is in Region 5 Rayton, within the jurisdiction of CoT, in **Portion 137 of the Farm Elandshoek 337-JR**, measuring approximately 8.6 ha in extent. The proposed site for the facilities is on virgin land that slopes gently, thus providing natural drainage. The site is in close proximity to built-up spaces, therefore site services are in close proximity thereof.

Geographically the project site is situated approximately 3 km from the centre of Rayon Township and 55 km east of the Pretoria Central Business District. Rayton provides easy access to the N4 National road within 4km and provides linkages with the Bapsfontein-R21 movement system. Administratively the subject property falls within the jurisdiction of CoT Metropolitan Municipality. The regional locality of the site is illustrated in **Figure 3.1**.



Figure 3.1 highlights the regional locality and linkages to the following transport nodes:

- N4 – a national corridor
- R515 – a regional connector
- R104 – a regional connector

4.1 Legal and other issues pertaining to the Site

Respondent's attention is drawn to the following:

4.1.1 Restrictions on legal title

The title deeds do not contain any restrictions that are prohibitive towards the Project objectives.

4.1.2 Zoning

The site is currently zoned undetermined. A rezoning application has been lodged and it is expected that this process will be concluded in time for implementation of the project. The site will be rezoned for industrial and commercial usage.

4.1.3 Town planning

In view of current zoning, provisions of town planning legislation do not apply on the sites at this stage.

4.1.4 Land claims

There are no land claims registered against the site.

4.1.5 Illegal occupation

There are no illegal occupants on the site.

4.1.6 Heritage

No burial grounds or graves were recorded and no significant cultural landscapes or viewsapes were noted during the fieldwork. But graves can be expected anywhere on the landscape and the fact that the area has been extensively disturbed it is recommended that a chance find procedure is incorporated for this project.

4.1.7 Geo Tech Conditions

The site's geo-technical condition is not subject to any fatal flaws. In any event, it is expected that any prospective private sector developer should obtain a copy of the geo-tech investigation report and, to the extent necessary, they should conduct their own investigation to satisfy themselves about the site conditions.

Based on the findings of this study, the site is considered suitable for light industrial and commercial development, provided that the recommendations and precautionary measures of this report are taken into consideration and applied.

It is considered that a raft foundation will be suitable for the proposed building structures and associated development, following ground improvement of in situ subsoils.

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4.1.8 Traffic Impact Issues

A comprehensive Traffic Impact Assessment was undertaken indicating that there are no major traffic impact issues militating against the development. However, there are road widening and public transport stops to be implemented.

4.1.9 Environmental Impact Assessment (“EIA”)

An Environmental Baseline was undertaken. Based on the assumption that TEDA is committed to ensuring that the TAPH is operated to high standards, achieved through implementation of the recommended mitigation measures and ongoing monitoring of performance, The Environmental consultant believes through effective implementation of the stipulated mitigation measures, the adverse impacts can be reduced to levels compliant with national and international standards and limiting additional impacts where existing impacts may be nearing guideline levels (e.g. noise and air emission levels in some areas). Ultimately, however, GDARD will need to consider whether the project’s benefits outweigh the potential negative impacts when the application for environmental authorisation is lodged.

5 MARKET DEMAND ASSESSMENT

The proposed development is aimed at boosting the primary agricultural sector within City of Tshwane (CoT). Currently, agriculture generates 0.57% of the Metropolitan’s gross domestic product (GDP) and employs 9,162 people, with a low growth rate (CSIR, 2015). Despite this, the CoT is one of the major centres of manufacturing from agricultural produce and forms part of the niche locations known for processing substantial amounts of the food consumed nationwide (CSIR, 2015). The boosting of the primary agricultural sector has implications on the output of the food manufacturers and processors in the CoT, as well as on economic opportunities for the Metropolitan’s citizens.

The Tshwane Fresh Produce Market (TFPM) is the second largest fresh produce market in South Africa (by turnover) and receives most of its produce from neighbouring provinces and countries. This market could serve as the one of the main supplies of production raw materials to the proposed agro-processing hub. It is anticipated that the proposed hub will capitalise on the large tracts of available farm land in the City, and the TFPM, to create a facility that will lead to significant job creation (approximately 300 jobs) and economic development within CoT. It is anticipated that

approximately R1.7 billion will be added to the local economy in the first five years of facilities operation.

The key benefits that will be realised through the implementation of the proposed development include:

- Job opportunities in the entire value chain of the agriculture sector
- Promotion and investment in the agro-processing sector of the Gauteng Province
- Improvement in competitiveness of the local economy by optimally using the local resource base and locational advantages.
- Stronger integration between the different economic sectors.
- Enhancement of local businesses / enterprises and skills development for the agro-processing industries.
- Promotion of overall growth and development of the agro-processing industries.

The proposed development will improve the amenities of the area and contribute to the regeneration of the local economy. It will inject substantial growth into the economy of the region; facilitate upgrading of public amenities, whilst transforming the general outlook and character of the area.

The proposed development shall contribute to the prospective land use development of the area, which shall be sustainable based on its location and need. The property will be utilised to a higher potential and more sustainable land use than the current land use.

The development is desirable, seeing that sufficient services are available in the area and the development can therefore link to the existing network of services available in the area.

6 CONCEPT PRINCIPLES

The proposed Tshwane Agro Processing Hub will only look into the processing of agricultural output, from CoT and surrounding areas, to produce food and beverage related products. The preliminary design and concept plan is to be based on the following, but not limited to, best practice principles.

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PRINCIPLE 1: DISTINCT HYGIENIC ZONES ESTABLISHED IN THE FACILITY - Maintain strict physical separations that reduce the likelihood of transfer of hazards from one area of the plant, or from one process, to another area of the plant, or process, respectively. Facilitate necessary storage and management of equipment, waste, and temporary clothing to reduce the likelihood of transfer of hazards.

PRINCIPLE 2: PERSONNEL & MATERIAL FLOWS CONTROLLED TO REDUCE HAZARDS - Establish traffic and process flows that control movement of production workers, managers, visitors, QA staff, sanitation and maintenance personnel, products, ingredients, rework, and packaging materials to reduce food safety risks.

PRINCIPLE 3: WATER ACCUMULATION CONTROLLED INSIDE FACILITY - Design and construct a building system (floors, walls, ceilings, and, supporting infrastructure) that prevents the development and accumulation of water. Ensure that all water positively drains from the process area and that these areas will dry during the allotted time frames.

PRINCIPLE 4: ROOM TEMPERATURE & HUMIDITY CONTROLLED - Control room temperature and humidity to facilitate control of microbial growth. Keeping process areas cold and dry will reduce the likelihood of growth of potential food borne pathogens. Ensure that the HVAC/refrigeration systems serving process areas will maintain specified room temperatures and control room air dew point to prevent condensation. Ensure that control systems include a cleanup purge cycle (heated air make-up and exhaust) to manage fog during sanitation and to dry out the room after sanitation.

PRINCIPLE 5: ROOM AIR FLOW & ROOM AIR QUALITY CONTROLLED - Design, install and maintain HVAC/refrigeration systems serving process areas to ensure air flow will be from more clean to less clean areas, adequately filter air to control contaminants, provide outdoor makeup air to maintain specified airflow, minimize condensation on exposed surfaces, and capture high concentrations of heat, moisture and particulates at their source.

PRINCIPLE 6: SITE ELEMENTS FACILITATE SANITARY CONDITIONS - Provide site elements such as exterior grounds, lighting, grading, and water management systems to facilitate sanitary conditions for the site. Control access to and from the site.

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PRINCIPLE 7: BUILDING ENVELOPE FACILITATES SANITARY CONDITIONS - Design and construct all openings in the building envelope (doors, louvers, fans, and utility penetrations) so that insects and rodents have no harborage around the building perimeter, easy route into the facility, or harborage inside the building. Design and construct envelope components to enable easy cleaning and inspection.

PRINCIPLE 8: INTERIOR SPATIAL DESIGN PROMOTES SANITATION - Provide interior spatial design that enables cleaning, sanitation and maintenance of building components and processing equipment.

PRINCIPLE 9: BUILDING COMPONENTS & CONSTRUCTION FACILITATE SANITARY CONDITIONS - Design building components to prevent harborage points, ensuring sealed joints and the absence of voids. Facilitate sanitation by using durable materials and isolating utilities with interstitial spaces and stand offs.

PRINCIPLE 10: UTILITY SYSTEMS DESIGNED TO PREVENT CONTAMINATION - Design and install utility systems to prevent the introduction of food safety hazards by providing surfaces that are cleanable to a microbiological level, using appropriate construction materials, providing access for cleaning, inspection and maintenance, preventing water collection points, and preventing niches and harborage points.

PRINCIPLE 11: SANITATION INTEGRATED INTO FACILITY DESIGN - Provide proper sanitation systems to eliminate the chemical, physical and microbiological hazards existing in a food plant environment.

The following factors must be included for the entire facility design:

1.1. Process

- Production capacity studies
- Process flow plans
- Material and work flow plans
- Process piping
- Dry ingredients
- Wet ingredients

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1.2. Refrigeration

- Cold storage systems
- Coolers and freezers
- Halocarbon/freon systems
- Ammonia systems
- Glycol systems
- Heat recovery

1.3. Electrical

- Distribution systems
- Lighting systems
- Switchgear and MCC layouts
- Controls

1.4. Equipment

- Process equipment integration
- Back up power

1.5. Heating & Cooling

- Clean rooms/HEPA filtration
- Chilled water/glycol
- Exhaust/ventilation
- Condensation control
- Plant airflow studies
- Variable volume air systems

1.6. Piping

- Process equipment piping
- Boilers/steam/condensate
- Natural gas/inert gas
- Compressed air
- Hot/cold water
- Clean-up water/waste water

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7 RISK TRANSFER

The risk transfer is an important consideration for both the Private Party and CoT. Therefore, risks should be allocated to the party best suited to manage or mitigate them. The risk framework should define the level of risk, management of acceptable risks and the avoidance of unacceptable risks.

The Private Party will be required to assume a substantial portion of all forms of project life-cycle risk (including construction, financing, operation and maintenance risks of technologies).

It is also assumed that the developer, will have all the necessary skills required to undertake the project – that is engineering, project management and construction, as well as operation and maintenance. If not, the developer will subcontract these services. CoT will have one contract for all services, and this will be directly with the developer.

It must be understood that most of the risk will be transferred to the private party. CoT will make the land available through a long term lease/rental agreement.

8 SOCIO-ECONOMIC DEVELOPMENT

GIFA recognises that the Project can achieve some of its strategically identified socio-economic objectives. GIFA has considered the following legislation and policy documentation of Government, relevant to economic development:

No.	Legislation/Policy	Imperatives
1.	Constitution of the Republic of South Africa, 108 of 1996 (“Constitution”)	<p>Section 217(2) of the Constitution provides that organs of state are not prevented by the requirements of open and competitive tender process from implementing procurement policies providing for categories of preference in the allocation of contracts and the protection or advancement of persons, or categories of persons disadvantaged by unfair discrimination.</p> <p>Section 217(3) of the Constitution further states that national legislation was to be enacted to prescribe a framework within which policies referred to in section 217(2) must be implemented.</p>

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No.	Legislation/Policy	Imperatives
2.	Broad-based Black Economic Empowerment (“B-BBEE Act”)	Section 10(1) of the B-BBEE Act states that every organ of state must take into account and, as far as is reasonably possible, apply any relevant code of good practice issued in terms of the B-BBEE Act in developing criteria for entering into partnerships with the public sector.
3.	B-BBEE Codes of Good Practice published pursuant to the B-BBEE Act, 2007 and B-BBEE Codes of 2003	These codes were applied in the Project, as far as reasonably possible and the following elements were taken into account: <ul style="list-style-type: none"> ▪ Ownership ▪ Management ▪ Skills Development ▪ Enterprise and Supplier Development ▪ Socio-economic Development
4	New Growth Path published by the Department of Economic Development (NGP)	The NGP makes calls for an intense focus on B-BBEE regulations – ownership by communities and workers, increased skills development and career pathing for all working people – and an emphasis on procurement from local producers in order to support employment creation.
5.	The National Development Plan (NDP)	The NDP: <ul style="list-style-type: none"> ▪ Proposes the promotion of employment in labour absorbing industries and promotion of manufacturing in areas of competitive advantage; ▪ Seeks to reduce the unemployment rate from 27% to 14% in 2020 and to 6% by 2030; and ▪ Seeks the leveraging of public procurement to promote localisation and industrial diversification
6.	Green Economy Accord	The key message in the Accord is about: <ul style="list-style-type: none"> ▪ Opportunity – that climate change provides new prospects for economic activity; ▪ Innovation – that the country can draw on its technological, research and manufacturing base to generate new processes and products; ▪ Responsibility – of Government to create an enabling environment of businesses and citizens to do things differently; and

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No.	Legislation/Policy	Imperatives
		<ul style="list-style-type: none"> ▪ Partnership – the combined efforts of all constituencies and all South African needs to be harnessed to achieve the goals of the Green Economy.
7.	Local Procurement Accord	The objective of the Local Procurement Accord is to accelerate the creation of 5 million new jobs by 2020 as well as achieve the goals of IPAP. The Local Procurement Accord commits the social partners to achieving 75% localisation in the procurement of goods and services by both the public and private sectors.

In developing the economic development objectives of the project, some of the socio economic challenges facing South Africa, and specifically the 20% unemployment rate within the Tshwane Region, was taken into account:

In trying to address the legislation, policies and socio-economic conditions described in the table above, TEDA has determined the following objectives as its specific goals in the project:

- Employment for the people of the Tshwane Region, focusing on the youth;
- Localisation to contribute towards the creation of jobs and increase the development of skills. localisation should be targeted at Tshwane Region suppliers, and other South African suppliers; and
- Participation in the project by historically disadvantaged and marginalised citizens through equity and subcontracting.

In order to achieve the Economic Development objectives identified for the Project, the Economic Development Elements to be pursued are as follows:

- Job Creation – which will be focused on the creation of sustainable employment for Tshwane Region based people with an emphasis on youth;
- Local Content – which will be focused on the procurement of local products to stimulate the creation of jobs as well as procuring goods and services from the Tshwane Region (if not available, Gauteng and the rest of South Africa) based suppliers;
- Ownership – which will be based on shareholding by Black People, Black Women and Broad-Based Ownership Schemes such as local communities and employee share ownership schemes;
- Management control – which will be focused on the involvement of Black People and Black Women in the various management structures in the entity undertaking the project;

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- Skills Development – which will be focused on the development of Black People, Tshwane Region based and South African suppliers; and
- Procurement, Enterprise and Supplier Development – which will entail subcontracting to empowered suppliers and suppliers owned by Black People as well as the development of such suppliers.

Note: For the purposes of this RFQ, it is recommended that the bidder establish a consortium that is made up of at least 51% Black Ownership.

9 Conclusion

This part (Part 2) of the RFQ document contains the project background, project objective, project scope and associated performance parameters. The RFQ General Conditions, Evaluation Process and Response forms are provided in Part 1, Part 3 and Part 4 respectively.

PART 3: THE EVALUATION PROCESS

1. INSTRUCTIONS TO RESPONDENTS

- 1.1. Respondents must complete all relevant sections of the RFQ document, and supply any additional information as required. Where a section is not applicable this should be clearly stated. Failure to complete all relevant sections of the RFQ document will automatically and immediately disqualify the Respondent from the Project, and GIFA will undertake no further evaluation of the Submission.
- 1.2. To the extent that some of the information sought and responded to by the Respondent and its members constitute its/their views and opinions on certain issues, GIFA is under no obligation to accommodate any such views and/or opinions at any later stages of the Procurement Process, but reserves the right to hold the Respondent (and Participating Enterprises) thereto.
- 1.3. Respondents must submit one original, three hard copies (one copy not-bound) and one electronic copy on disc of the RFQ submission. Respondents must ensure that the electronic copies of the RFQ Submission contain ALL information contained in the original copy of the RFQ Submission.

2. THE EVALUATION CRITERIA

The main objective in evaluating Responses is to identify the Respondents who appear best positioned to provide credible RFP proposals if pre-qualified to participate in the RFP stage. Responses to this RFQ will be reviewed and analysed in the following categories, namely:

The description of the functionality criteria and the maximum possible score for each is shown in the table below. The score achieved for functionality (So) will be the sum of the individual scores achieved in the evaluation process.

Description of Functionality Criteria	Breakdown	Maximum Possible Score
<i>1.Design and Construction</i>		25
• Key Personnel Assigned to the Work	10	
• Experience	15	
<i>2.Agro-Processing Hub</i>		40
• Key Personnel Assigned to the Work	25	
• Experience	15	
<i>3.Funding</i>		25
• Number of previously funded Agro Hubs or similar	5	
• Budget amount funded for Agro Hubs or similar	20	
<i>4.Methodology</i>		10
TOTAL		100

The minimum score for functionality is 70. Tenderers that fail to achieve the minimum score for functionality will be rejected.

2.1. Design, construction, capabilities

2.1.1. The purpose of the assessment of the design and construction capabilities of the Respondent and its Members is to determine whether the Respondent has the required ability and technical capacity to deliver a Project of this nature. As such, the following will be considered:

2.1.1.1. Key Personnel: Qualifications of key personnel undertaking design and construction management of civil and structural work (Curriculum vitae to be submitted). The following is typical of the personnel required:

- Project Manager
- Architect
- Civil/ Structural Engineer
- Process Engineer
- Chemical Engineer
- Electrical Engineer
- Mechanical Engineer
- Quantity Surveyor

2.1.1.2. Project Specific Specialists Experience: The bidders must demonstrate experience by the company/consortium in the Design and Construction of Agro-Processing Hub or similar Agriculture facilities. Specific attention should be given to providing information with regard to Turnkey Developments and EPC type project experience. Traceable references must be submitted.

2.2. Experience in Working on operating and maintaining of Agro-Processing Hub Projects

2.2.1. The Respondent and its Members must have worked on operations of a similar nature and therefore have the skill and experience, and, an understanding of what is required to maintain and manage an Agro-Processing Hub operation or similar Agriculture related facilities. Therefore, the Respondents should demonstrate:

2.2.1.1. Qualification and skill of Key Personnel involved in the operations and maintenance in the Agriculture Industry; (Curriculum vitae to be submitted).
The following is typical of the personnel required:

- Facilities/ Plant Manager
- Operations Manager
- Chemical Engineer
- Food Technologist
- OHS Officer
- Laboratory Technician/ Manager

2.2.1.2. Experience (number and size of projects) of the Bidder in the Agro-Processing Industry or similar Agriculture facilities.

2.3. Methodology and Approach

2.3.1. Demonstration of understanding key Project demands/complexities – Methodology and Approach which includes an implementation plan that accommodates the socio-economic objectives of the Project.

2.3.2. It must be emphasized that experience in the food and beverage production lines or facilities will aid the bidder for points and qualification. This must also be incorporated in the Methodology and Approach.

2.3.3. The bidders must provide incentives to small holding farmers whereby at least 10% of the primary raw materials is derived from small holding farmers within the first five years, and increased to 50% from year's six to ten.

2.4. Funding experience

2.4.1. This category relates to the Respondent's experience, history and success in sponsoring projects, providing equity and raising project finance debt for similar transactions.

2.4.2. Respondent will therefore be required to demonstrate:

2.4.2.1. The number of Agro-Processing Hubs (or similar projects) funded.

2.4.2.2. The amount funded for each of the Agro-Processing Hub (or similar projects).

3. EVALUATION PROCESS AND WEIGHTING

3.1. Evaluation Methodology

3.1.1. Evaluation of bids will be done in a two-stage process:

3.1.2. Stage One (1) will be the evaluation of bids on Administrative Compliance. During this stage, bids that do not meet the minimum threshold shall be disqualified and will not be considered for further evaluation.

3.1.3. Stage Two (2) evaluations will be based on Functionality.

3.2. STAGE 1: Administrative Compliance

3.2.1. Submission of Proposal;

3.2.2. Bid Commitment and Declaration of interest Form should be signed by the Bidder;

3.2.3. Outsourcing of services - bidders are required to submit a letter of consent or JV agreement/memorandum of understanding from the other service provider;

Note: Bids that do not comply with the above requirements may be eliminated and be regarded as non-responsive.

Note further: An evaluation matrix is contained in Annexure A to this RFQ.

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Section 0 - General and Legal Information

Details of the Participating Enterprise

To be completed on behalf of all Equity Members making up the Participating Enterprise.

1	Participating Enterprise Name:	
	Address:	
	Telephone:	
	Fax:	
	E-mail:	

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Participating Enterprise's Authorised Representative (person for contact purposes).

Name:	
Address:	
Telephone:	
Fax:	
Email:	

The Declaration and Non-Collusion forms that must be signed by each of the Participating Enterprises are contained in Section J of the document.

2 Status of Participating Enterprise

(a)	<table border="1"> <tr> <td>Single candidate</td> <td></td> </tr> </table>	Single candidate		<table border="1"> <tr> <td>Consortium</td> <td></td> </tr> </table>	Consortium		<table border="1"> <tr> <td>Other joint venture</td> <td></td> </tr> </table>	Other joint venture	
Single candidate									
Consortium									
Other joint venture									
(b)	<table border="1"> <tr> <td>Already a limited company</td> <td></td> </tr> </table>	Already a limited company		<table border="1"> <tr> <td>To be incorporated</td> <td></td> </tr> </table>	To be incorporated		<table border="1"> <tr> <td>Not to be incorporated</td> <td></td> </tr> </table>	Not to be incorporated	
Already a limited company									
To be incorporated									
Not to be incorporated									

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3 Where Participating Enterprise is already a limited company.

Registered name:	
Current trading name:	
Previous trading names (if different):	
Registered address (if different to 1):	
Telephone (if different to 1):	
Fax (if different to 1):	
E-mail (if different to 1):	
Registered number:	
Year of registration:	
Country of registration:	

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4 Indicate the Participating Enterprises that will undertake the following roles on the Project.

Role	Name of organisations (full title)
Shareholding companies	
Technical Team Advisor(s)	
Design & Construction	
O&M service, including Integrated Facilities Management, provider	
Architects, designer(s) and other technical advisor(s)	
Legal advisor	
Financial advisor	
Other companies(s) and their roles in the Project	

5 Provide an organisational chart showing the relationships within the Consortium between the Equity Members and Participating Enterprises. State whether membership, roles and responsibilities will change during the procurement, design, construction and operational phases of the Agreement.

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A2 Name and contact details for person applying on behalf of the Lead Member.

Name:
Position in organisation:
Address:
E-mail:
Telephone:
Mobile:
Fax:

A3 Specify the services that each Participating Enterprise will deliver.

Participating Enterprise	Services to be delivered
1.	
2.	
3.	
4.	
5.	

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- A4** Please provide details of each Participating Enterprise's main areas of business and confirm (in the case of a company) that it has the authority and capacity in terms of its constitutive documents to provide such services as are described within Part 2 of the RFQ. Please indicate the approximate turnover relating to each service area for each Participating Enterprise for the last three years.

- A5 (a)** Provide an organisational chart and details of the relationship including details of any performance guarantees, between the Participating Enterprises and whether this may change during the design, construction, operational and maintenance phases of the Project.

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- (b) Please complete the table below setting out, in percentage terms, the anticipated split of costs between the Participating Enterprises or their guarantor (either costs borne or underwritten).

Participating Enterprise (or guarantor)	% of capital costs to be borne/underwritten	% of operating phase costs to be borne/underwritten
1.		
2.		
3.		
4.		
5.		
6.		
Total	100%	100%

A6 Provide details of the likely shareholding of each Participating Enterprise in the Project (where relevant).

--

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Questions A7 to A16 are to be completed by the Lead Member and each Participating Enterprise on separate pages, where applicable.

A7 Name of organisation.

--

A8 Provide details of the registered office and registered number, VAT number and date of registration if a company or organisation (public/private limited company, limited liability partnership, or their equivalent, or other – please specify). If not a company, provide status of organisation, including details of the trading address.

Registered office: Registration number: Date of registration: VAT number:

Please enclose a copy of the company certificate of incorporation (if applicable) and any certificate of incorporation on change of name or equivalent documentation applying in the relevant jurisdiction of the Lead Member.

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A9 Names of directors and secretary (if a company).

Names of partners (if a partnership).

A10 If the Participating Enterprise is a limited company, or its equivalent, is it a subsidiary of another company? If so, provide details of the name of each holding or parent company.

A11 Provide details of any court and/or employment tribunal proceedings in which the Participating Enterprise has been involved in the last three years (companywide, not limited to specific service areas).

A12 Provide details of any such court and/or employment tribunal proceedings that are currently outstanding against the Participating Enterprise (companywide, not limited to specific service areas).

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A13 Has the Participating Enterprise at any time:

- (a) Passed a resolution for winding up or been subject to an order of the Court for winding up otherwise than for the purposes of a bona fide reconstruction or amalgamation, or had a receiver, manager administrator or administrative receiver on behalf of a creditor appointed in respect of the company's business or any part thereof;
- (b) Had a judgment debt of over R100,000 enforced against it; or

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A14 Has any proprietor, director, partner or associate of any Participating Enterprise ever been subject to any process indicated in question A13 above?

Yes No

If yes, please provide details confirming that the process has been discharged.

A15 Has the Participating Enterprise, or any proprietor, director, partner or associate thereof ever in the course of business:

- (a) Been convicted of a criminal offence relating to the conduct of that business, or
- (b) Committed an act of grave misconduct in the course of that business.

Yes No

If yes, please provide details.

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A16 Please provide details of any prosecutions in the last three years against the Participating Enterprise.

A17 Please confirm that any proprietor, director, partner or associate of any Participating Enterprise is not blacklisted by the National Treasury under the Register for Tender Defaulters in terms of GN 194 of 11 March 2005 issued in terms of the Prevention & Combating of Corrupt Activities Act, 2004.

A18 Please confirm if any proprietor, director, partner or associate of any Participating Enterprise is listed on the Disqualified Director's Register (maintained by the Companies and Intellectual Property Commission) in terms of section 69(13) of the Companies Act, 2008, available on www.cipc.co.za;

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Section B – Economic and Financial (for each Participating Enterprise)

Name of Respondent	
--------------------	--

B1 Name and contact details of the officer responsible for finance for the Participating Enterprise to whom financial queries can be directed.

Name:
Position:
Address:
E-mail:
Telephone:

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B2 Name and address of bankers – provide bank reference letter for each Participating Enterprise.

B3 Name and address of auditors – you may be requested to provide written authority for GIFA to approach your auditor for verification of financial details and/or a reference – please confirm that references can be obtained from them, if required.

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- B4** Provide a hard copy of the full annual report and audited accounts of the Enterprise and any intermediate or ultimate parent entities for each of the previous three financial years. If three years accounts are not available please set out in the table below what financial information you have provided to demonstrate the robustness and financial viability of the Participating Enterprise.

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- B5** If the most recent balance sheet is more than ten months out of date, please include a copy of the chairman's half-yearly statement (if available) and a statement signed by the director responsible for financial matters setting out any known significant changes in the current financial position from the last available balance sheet.

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B6 Where relevant please provide evidence of any company announcements made to the authorities of the stock exchange or market on which the stocks or shares of the organisation are publicly traded, since the date of publication of the last set of accounts.

--

B7 Provide details of the Participating Enterprise's overall turnover and the turnover for services similar to those included in this project for the previous three financial years.

Turnover	2014/15:	2013/14:	2012/13:
Overall turnover			
Construction turnover			
Property Developer turnover			
Operations and Maintenance turnover			
Other turnover (specify)			

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B8 Provide a statement, as at the last reporting date, of any contingent liability or loss (where not otherwise reported) that would require disclosure in accordance with international accounting standard ("**IAS**") 10. Provide a statement of any other material events, subsequent to the publication of the last audited accounts, which may be disclosed in the next audited accounts.

--

B9 Please state if you wish your economic and financial standing assessment to be based on your parent company/group or a guarantor? A parent company guarantee will be required prior to contract award if the assessment is to be based on the parent company accounts.

<p>The assessment is/is not* to be based on parent company/group accounts/guarantor. A parent company guarantee is/is not* available. If yes, please provide details and letter of support from parent company. Section B has/has not* been completed in relation to both the Participating Enterprise and the parent company. * Please delete as appropriate</p>

B10 Provide a statement that the ownership of the organisation or change of structure of the organisation has not changed significantly over the past twelve months. Where applicable, please provide details.

--	--	--	--

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B11 Provide a statement that the Participating Enterprise has not been subject to a financial investigation by an accredited regulator. Where applicable please provide details.

B12 Provide details of any outstanding legal or financial claims the Participating Enterprise is subject to.

B13 Provide examples of structures/performance guarantees that you have provided on other construction projects to give comfort regarding the on-going performance of the contract.

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Insurance

B14 Provide evidence of the public liability insurance and professional liability or indemnity insurance for the Participating Enterprise. The evidence should include the name of the insurers, policy numbers, expiry date, and limits for any one accident and the excesses under the policy. Please provide copies of relevant insurance certificates.

	Employers liability insurance	Public liability insurance	Professional liability or indemnity insurance
Name of insurers			
Policy numbers			
Expiry dates			
Limits for any one incident			
Excess limit			

B15 Would you be willing to increase the value of cover if your current level is considered to be insufficient for the project being applied for?

Yes No

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B16 Ability and approach to raising project and/or corporate finance.

B16.1 - Please state if finance raising is to be based solely on the Lead Bidder or on a combination of the Lead Bidder and other sponsors. Where the response is a combination of the Lead Bidder and other sponsors, please list the Participating Enterprises to be considered.

B16.2 - Please summarise the historical funding strategy methodology used by the Lead Bidder/sponsor (maximum two sides of A4).

B16.3 - Provide details of no more than five examples of prior experience in raising project and/or corporate finance in excess of R100 million (or equivalent value in other currency).

Points to highlight should include the following:

- a) the type of project for which such finance was raised;
- b) the amount raised and when this occurred;
- c) the form of finance raised (e.g. debt, equity, bond, corporate finance);

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- d) the method used to approach potential financiers and to obtain best value funding terms;
- e) the strategies used to help mitigate the risk of proposed funder(s) not being able to offer suitable funding terms at a later time;
- f) the strategies used to manage the potential tension between the project timetable and the duration for which terms offered are valid;
- g) the approach to managing the due diligence requirements of funder(s).

Your response should not exceed more than five pages of A4 sized paper.

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Section C – Project Comprehension and Solution

Questions C1 and C2 are to be completed by the Respondent on separate pages. A failure to respond to this section, without explanation may negatively impact on assessing the Respondent's awareness of the issues attendant to the Project.

C1 Project Comprehension

- a) Provide a synopsis that clearly and unambiguously demonstrates the Respondent's understanding of the project objectives and scope of work.
- b) Identify and comment on any aspects of the Project or its legal framework that, in the Respondent's opinion, would –
 - o restrict the Respondent's ability to raise funding for the Project;
 - o limit the creation of Value for Money for TEDA; and
 - o frustrate the ability of the Respondent to assume risk under the Project.
- c) Identify and comment on any other aspects of the Project that, in the Respondent's opinion, would enhance the Project and that need to be addressed by GIFA in its further development of the RFP.
- d) The Respondent is to indicate the time scales, which the Respondent considers to be realistic to achieve the commencement of revenue earning operations of the Project.
- e) The Respondent must demonstrate an understanding of a partnering concept as it relates to this Project for the longer term.
- f) The Respondent must demonstrate a keen comprehension of the key challenges facing the Project and an understanding of the complexities and demands entailed in undertaking the Project.
- g) The Respondent is required to satisfy themselves of GIFA's authority to procure the Project and is to confirm that they are satisfied that GIFA has the authority to procure the Project.

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C2 Project Solution

Provide the executive summary of the Project Business Plan. The requirements of the Project Business Plan are contained in Part 2 of the RFQ- Project Description.

Section D – Technical and Professional Capability

Questions D1 and D2 are to be completed by each Participating Enterprise, on separate pages, if applicable. Responses to this Section D should be no longer than twenty pages of A4. Please note that if more than twenty pages of information is provided, the Response will not be evaluated and scores may be impacted.

Project experience

D1 Please provide details of up to five current or recent (those that may have been concluded within the past three years) contracts for large scale infrastructure contracts in which each Participating Enterprise has performed, participated in, or those contracts where the Participating Enterprise has provided services comparable with its proposed role within a consortium.

Please copy this table within Section D1 as many times as is necessary to provide details for each project.

Contract title	
Name of organisation	
Address of organisation	
Description of Participating Enterprise's role in contract (e.g. lead, turnkey	

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supplier, financier, partial supplier, licensor or process integrator)	
Key sub-contractors/organisations and roles within the contract delivery	
Is the contract an Agro Processing Hub or other type of infrastructure or facility management contract (please state)?	
Details of works and service provided including any specific experience	
Key facilities and technologies used in the provision of works and services	
Design capacity	
Current operating throughput	
Regulatory authority (stating local office where appropriate)	
Contract value Annual contract value Annual value for your element of service	
Funding raised and funding source	
Contract start date	
Contract completion date	

Answer those questions which are relevant to the service being described, marking the questions which are not relevant as 'N/A'.

Please repeat this table as required.

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D2 Please provide details of where the Participating Enterprises have managed sub-contractors to deliver elements of large-scale infrastructure or facility management projects.

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D3 Provide details of any contracts to which the Participating Enterprise is a signatory of a contract with a value of over R100 million where there has been a failure to complete the contract on time or at all, or where there have been claims for damages, or where damages have been deducted or recovered, in either case only where the amounts exceed R10 million. Also details of any contracts terminated. This statement should only take account of incidents in the past three years.

	Year 2012-13	Year 2013-14	Year 2014-15
Participating Enterprise:			
Failures to complete the contract			
Claims for damages			
Damages deducted or recovered			
Contracts terminated			

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D4 Please also provide details of any successful prosecution against the organisation in relation to the contracted services and facilities described in D1 during the last five years (please indicate the magnitude of any fine, the duration of any prison sentence and the nature of the offence). Additional information should be provided where applicable.

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Technical experience

Responses to this Section D (questions D5, D6 and D7) should be no longer than twenty pages in total of A4 sized paper. Please note if more than twenty pages of information is provided, the Response will not be evaluated and scores may be impacted.

- D5** Please provide details, for the past five years only of the Participating Enterprise's experience in gaining and securing planning permission, relevant to the types of facility identified in question D1. Information provided should include details of the planning authority, facility type and scale, location and date. If any of the planning applications were subject to objections or judicial review (or the equivalent in the jurisdiction of the Participating Enterprise) the details of how these issues were resolved should be included.

- D6** Please provide details, for the past five years only, of the necessary consents and permits the Participating Enterprise has obtained relevant to the types of project identified in question D1. Information provided should include details of the issuing authority, facility type and scale/capacity, length of application process, location and date of issue and expiry. If any of the applications were subject to objections or judicial review (or the equivalent in the jurisdiction of the Participating Enterprise) the details of how these issues

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were resolved must be included. Details of where consents or permits have been modified or withdrawn should be included.

D7 What experience or involvement does the Participating Enterprise have in providing construction management services, in the past five years? Please provide details of up to ten projects comparable in scale and scope to the Project.

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Staff experience

Questions D8 to D10 to be completed by each Participating Enterprise, on separate sheets, if applicable.

D8.1 Provide general details below for each of the Participating Enterprises showing its staffing via the following table:

	Permanent full time	Permanent part time	Casual
Managerial/supervisory			
Operational			
Total staff employed			

	2012-13	2013-14	2014-15
Details of staff turnover as a percentage of workforce for past three years			

D8.2 Based on the information provided in Section 0 (General Information) for the Participating Enterprise, provide CV's (one page CVs) for key staff.

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D9 Provide details of the membership of relevant trade associations/professional bodies of both the Participating Enterprise and the key persons identified in question D8.

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D10 Please provide, if possible, two example references on existing contracts where the organisation can provide demonstrable experience of the following activities.

Activity	Contracting organisation	Contact at contracting organisation (including name, address and telephone number)	Details (including objectives, performance indicators and delivery)
Partnering and / or working in a Consortium including a Construction and Integrated Facilities Management			
Long-term performance focused contracts including risk transfer for integrated facilities management			

Note: GIFA at its discretion reserves the right to seek references from the named contracting organisations.

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Section E – Experience of working on similar projects

Questions E1 to E4 are to be completed by the Lead Member on no more than five pages of A4.

- E1** Provide details for the past three years as to whether the Participating Enterprise(s) have worked or are working together on other similar property development and/or Agro- Hub projects. Disclose the date when the Participating Enterprise's involvement started and whether the scheme is at bidding stage, at preferred bidder stage, has reached financial close, has completed construction/installation, has been cancelled, or if none of these are applicable, the stage the scheme has reached.

- E2** If the Participating Enterprises are working together for the first time, please provide details of where and when the new relationships are being formed to create a Respondent under this project.

- E3** Identify any potential conflicts of interest that may arise if the Respondent were selected (taking into account all Participating Enterprises).

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E4 Provide a statement of any material pending or threatened litigation or other legal proceedings connected with similar projects against any Participating Enterprise that may affect the Respondent's ability to deliver on the Project.

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Section F – B-BBEE and Localisation

The information requested in Section F is to be provided by the Participating Enterprise.

The Participating Enterprise compliance targets for BBBEE in the Project based on the seven elements of BBBEE Codes of Good Practice. The following sections contain the seven elements of the BEE scorecard. Respondents are required to respond to each element and its specific sub-elements in their submissions by providing the appropriate quantitative and qualitative data.

F1 Equity ownership

The Participating Enterprise is required to provide information on the number of black participants in the following categories:

- The voting rights in black people
- The voting rights in black women
- The economic interest of black people
- The economic interest of black women
- The economic interest of black individuals in designated groups, employee ownership schemes, broad-based ownership schemes and/or co-operatives

F2 Management control

Over and above the number of black participants, the Participating Enterprise will be required to indicate the particular roles that black people and black women will play in

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the management of the Participating Enterprise supported by brief profiles of key members and indicating their gender.

- Board participation by black board members
 - Board participation by black executive directors
 - Black people in top management positions
 - Black people in other top management positions
-

F3 Employment equity

The Participating Enterprise will have to demonstrate compliance with the Employment Equity Act, 1998.

- Black disabled employees as a percentage of all employees
 - Black employees in senior management as a percentage of all such employees
 - Black employees in middle management as a percentage of all such employees
 - Black employees in junior management as a percentage of all such employees
-

F4 Skills development

The Participating Enterprise will have to demonstrate compliance with the Skills Development Levies Act, 1999.

- Skills development expenditure for black employees

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- Skills development expenditure for black employees with disabilities
- Number of black employees in learnerships

F5 Procurement

The Participating Enterprise will be required to provide information on the procurement spend based on the B-BBEE procurement recognition levels as a percentage of total measured procurement spend.

- B-BBEE procurement spend from all suppliers
- B-BBEE procurement spend from Qualifying Small Enterprises (QSEs) or Exempted Micro Enterprises (EMEs)
- B-BBEE procurement spend from suppliers that are at least 50% black owned
- Suppliers that are at least 30% black owned

F6 Enterprise development

- The Participating Enterprise will be required to provide information on the average annual value of all enterprise development contributions and sector-specific programmes made by the measured entity as a percentage of the target.

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F7 Socio-economic development

- The Participating Enterprise will be required to provide information on the average annual value of all socio-economic development contributions.
- Further, the Participating Enterprise will also be required to show innovation and apply their experience in proposing sustainable plans and initiatives to optimize the extent to which the Project can generate new jobs to stimulate the local economy.

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F8 Localization

The Participating Enterprise is required to indicate the extent to which it will attain local content in relation to economic participation, professional services and job opportunities. This must be demonstrated through the submission of a credible localisation strategy and plan for the Project.



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Section G - Quality Assurance

The information requested in Section G to be provided by each of the Participating Enterprises.

- G1** Please confirm whether the Participating Enterprises are currently, or are in the process of becoming, accredited to ISO9001, other recognised equivalent quality standard or own Quality Control Policy. Please state appropriate assessment level, and to which business functions the accreditation applies, where applicable. Please enclose a copy of the certificate, where applicable.

ISO9001 accredited YES/NO

Statement of accredited business functions YES/NO

Certificate Provided YES/NO

Quality Control Policy YES/ NO

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Section H – Health and safety

The information requested in Section H to be provided by each of the Participating Enterprises.

To ensure an accurate assessment of your organisation is made, please answer as many of the following questions as possible. Use additional sheets of paper if necessary.

- H1** Is it your policy as an employer to comply with your statutory obligations under the Occupational Health and Safety Act, 1993 together with subsequent associated regulations and approved Codes of Practice?

Please tick the appropriate box:

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

- H2** Does your organisation have a documented and implemented health and safety policy?

Please tick the appropriate box:

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

- H3** Does your organisation have a recognised health and safety manager?

Please tick the appropriate box:

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

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H4 Have any of the following been served on your organisation within the past three years by a government health and safety inspector?

Improvement notice

Please tick the appropriate box:

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Prohibition notice

Please tick the appropriate box:

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

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Section I – Environment and sustainability

The information requested in Section I to be provided by each Participating Enterprise.

To ensure an accurate assessment of your organisation, please answer as many of the following questions as possible. Use additional sheets of paper if necessary.

- I1** Please confirm whether the Participating Enterprises are currently, or are in the process of becoming, accredited to ISO14001 or other recognised or equivalent environmental standard.

Please tick the appropriate box and provide a copy of the certificate or other appropriate evidence:

Yes	
No	

- I2** Does the Participating Enterprise have an environmental policy for any of the works and services likely to be provided within the Project?

Please tick the appropriate box and provide appropriate evidence and state which part of the services the policy relates to:

Yes	
No	

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13 Does the Participating Enterprise have a policy relating to sustainable development?

Please tick the appropriate box and provide appropriate evidence:

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

14 Within the last three years has any Participating Enterprise had any notice served upon it by any environmental regulator or authority?

Please tick the appropriate box and provide appropriate evidence including outcomes and details of any remedial actions taken or recommended:

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

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Section J – Non-Collusion

(i) *Improper lobbying*

Any Respondent,/Bidder/ Private Party who is found to have, directly or indirectly lobbied a GIFA official in respect of the PQS or eventual RFP pertaining to this Project, will face the following actions: Immediate disqualification from further participation in the Project, cancellation of any contract entered into in this regard and be subject to a claim for damages, blacklisting against any bid in future, being reported to the National Treasury for purposes of being listed in the National Treasury's database of persons prohibited from doing business with the public sector.

(ii) *Competition and Independent submission*

The Respondent and/or Bidder and its respective advisors, officers, employees and agents is prohibited from engaging in any collusive action, which serves to limit competition amongst Respondents and/or Private Parties. In submitting the PQS the Respondent and/or Bidder undertakes that:

- its submission has been independently developed, without consultation, communication, or agreement for restricting competition, with any other Respondent and/or Bidder (or member thereof) or to any other competitor;
- unless otherwise required by law, the relevant submission has not been knowingly disclosed by it and it will not knowingly be disclosed by it prior opening, directly or indirectly to any other bidder (or member thereof) or to any other competitor;
- no attempt has been made or will be made by it to induce any other person or firm to/not to submit a response for the purpose of restricting competition;
- In general, attention of the Respondent is drawn to section 4(1)(b)(iii) of the Competition Act which prohibits "collusive tendering", and to Chapter 3 of the Competition Act. Any and all costs envisaged and attendant on any pre-merger notification and other fees and/or levies in terms of the Competition Act will be borne by the successful Respondent and/or Bidder.

Part 4: Issue Date: RFQ No.: Tshwane Agro-Processing Hub
RFQ Response Form

- If the Respondent has reason to believe that competition issues may arise from the Project, they may, at their cost, make enquiries, and they are encouraged to discuss their position with the South African competition authorities before submitting the RFQ. Any correspondence or process of any kind between the Respondent and the competition authorities must be documented in the RFQ. GIFA may, at its election consult the competition authorities during the bidding process.

GIFA will not be liable for any damages (whether direct, indirect, general, special or consequential) or any losses, costs, expenses or penalties suffered by a bidder or any member(s) thereof before, during or after submission of an offer, arising from the enforcement of the Competition Act. The pre-qualification of any Respondent and the eventual selection of any Bidder by GIFA in no way excludes or insulates such a Respondent and Bidder from the operation of the Competition Act or implies that the competition authorities have no interest in or have consented to the terms of the offer. Normal competition legislation and procedures will apply to the Project.

Section K – Project Business Plan

See Part 2 of the RFQ – Project Description, for detail on the required contents of the business plan.

ANNEXURE A**EVALUATION PROCESS AND CRITERIA****BID NO:** GT/GIFA/122/2017

The following evaluation process and criteria will be used to evaluate all bids submitted:

1. Administrative Compliance – Phase One

1.1 All bids duly lodged will be examined to determine compliance with bidding requirements and conditions. Bids with obvious deviations from the requirements/conditions, will be eliminated from further evaluation.

1.2 Critical Criteria:

The following critical criteria have been identified for this bid and any non-compliance thereto may lead to the bid being regarded as non-responsive and disqualified from further evaluation:

- CSD Registration Number.
- Completed and signed declaration on past SCM practices form
- Completed and signed declaration of interest
- Signed J/V or Consortium agreement should be submitted (Where applicable).
- Audited or reviewed financial statements, must be submitted

1. FUNCTIONALITY CRITERIA: 100 Points

The evaluation and scoring of bids will be made against Evaluation Criteria.

No.	Bid Evaluation Criteria for Functionality	Weight	Description	Points Allocations
1.0	DESIGN & CONTRACT MANAGEMENT OF RELEVANT PROJECTS	25	The Bidders must submit CVs of Key Personnel and a list with traceable references of relevant projects to obtain relevant points:	
1.1	Key Professional Personnel (Max 10 Points)			
1.1.1	<i>Key Personnel</i>	6	<i>Qualifications</i>	
	Architect		Pr Arch/Pr Arch Tech Eng	1.0
	Civil/Structural Engineer		Pr Eng/Pr Tech Eng	1.0
	Quantity Surveyor		Pr QS/Pr Tech QS	1.0
	Mech/Electrical Engineer		Pr Eng/Pr Tech Eng	1.0
	Project Manager		Pr CPM	1.0
	Chemical Engineer		Pr Eng/Pr Tech Eng	1.0
1.1.2	<i>Experience of Bidder in terms of Number of years in the construction of relevant related projects</i>		4	Number of years' of relevant related construction experience of Bidder
		More than 5 years		4.0
		More than 4 years up to 5 years		3.6
		More than 3 years up to 4 years		2.8
		More than 2 years up to 3 years		1.6
1.2	Experience in the Construction of Agricultural related Projects (Max 15 Points)			
	<i>Experience of Bidder in the construction of Agricultural related projects in terms of value of completed projects</i>	15	Value of completed Projects	
			Greater than R200 million	15.0
			More than R150m up to R200 million	13.5
			More than R100m up to R150 million	10.5
			More than R50m up to R100 million	6.0

No.	Bid Evaluation Criteria for Functionality	Weight	Description	Points Allocations
2.0	AGRO-PROCESSING (Operations Maintenance) &	40	The Bidder must demonstrate the appropriate Qualifications/skills and experience in the Agricultural Industry	
Key Personnel (Max 25 points)				
2.1	<i>Personnel</i>		Respective qualifications of professionals	
2.1.1	Facilities/Plant manager	5	Honours Degree in Management	5.0
2.1.2	Operations manager	5	Honours Degree in Management	5.0
2.1.3	Chemical Engineer	5	BSc Eng/B Tech Eng	5.0
2.1.4	Food Technologist	5	BSc/B Tech in food technology	5.0
2.1.5	OHS Officer	3	B Tech degree	3.0
2.1.6	Laboratory Technician	2	BSc/B Tech in Chemistry	2.0
Experience in the Operation & Maintenance of Food and Beverage Processing Plants				
2.2	<i>Experience in number of years in operating and maintaining Food & Beverage Processing Plants or similar</i>	15	More than 4 years	15
			More than 3 years up to 4 years	13.5
			More than 2 years up to 3 years	10.5
			More than 1 year up to 2 years	6.0

No	Bid Evaluation Criteria for Functionality	Weight	Description	Points Allocations
3.0	FUNDING	25	This category relates to the Respondent's experience, history and success in sponsoring projects, providing equity and raising project finance debt for similar transactions in Agro Processing or related projects	
3.1	<i>Number of Agricultural related projects funded</i>	5	More than 5 Agro-Processing Projects or similar	5.0
			4 to 5 Agro-Processing Projects or similar	4.5
			3 to 4 Agro-Processing Projects or similar	3.5
			2 to 3 Agro-Processing Projects or similar	2.0
3.2	<i>Amount funded on an Agro-Processing related project (or similar)</i>	20	Greater than R1.0bn	20
			Between R750m & R1.0bn	18
			Between R500m & R750m	14
			Between R250m & R500m	8

No	Bid Evaluation Criteria for Functionality	Weight	Description	Points Allocations
4.0	METHODOLOGY AND APPROACH	10	Demonstration of understanding key Project demands/complexities – Methodology and Approach which includes an implementation plan that accommodates the socio-economic objectives of the Project.	
4.1	Excellent		<p>Important issues are approached in an innovative and efficient way, indicating the TA has outstanding knowledge of state-of-the-art approaches.</p> <p>The approach paper details ways to improve the project outcomes and the quality of the outputs.</p>	10
4.2	Very Good		<p>The approach is specifically tailored to address the specific project objectives and requirements and is sufficiently flexible to accommodate changes that may occur during execution.</p> <p>The quality plan is specifically tailored to the critical characteristics of the project.</p>	9
4.3	Good		<p>The approach is generic and not tailored to address the specific project objectives and requirements. The approach does not adequately deal with the critical characteristics of the project.</p> <p>The quality plan is too generic.</p>	7
4.4	Satisfactory		<p>The technical approach and/or methodology is poor/ is unlikely to satisfy project objectives or requirements.</p> <p>The TA has misunderstood certain aspects of the scope of works and does not deal with the critical aspects of the project.</p>	4

NB: The bidder must obtain a minimum score of 70% of points allocated for quality (functionality) to qualify for further recommendation on RFP.

- The minimum qualifying score for functionality is 70% (seventy percent).

Detailed reference check on all aspects of the project would be verified e.g. Technical and Financial aspects

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	Registered Supplier Confirmation	Page 1 of 1

THIS FORM IS TO BE COMPLETED BY REGISTERED SUPPLIERS ONLY

PLEASE NOTE:

SUPPLIERS ARE REQUIRED TO PROVIDE THEIR REGISTERED CENTRAL SUPPLIER DATABASE (CSD) NUMBER _____

For confirmation of your supplier number and/or any assistance please call the GPT Call Centre on **0860 011 000**.

Registered Suppliers to ensure that all details completed below are CURRENT.

MANDATORY SUPPLIER DETAILS			
GPT Supplier number			
Company name (Legal & Trade as)			
Company registration No			
Tax Number			
VAT number (If applicable)			
Street Address		Postal Address	
CONTACT DETAILS			
Contact Person		Telephone Number	
Fax Number		Cell Number	
e-mail address		Principal's Id number	
BANKING DETAILS (in the name of the Company)			
Bank Name		Branch Code	
Account Number		Type of Account	

I HEREBY CERTIFY THAT THIS INFORMATION IS CORRECT.

Name(s) & Signature(s) of Bidder(s)

DATE:	
-------	--



GAUTENG PROVINCE
PROVINCIAL TREASURY
REPUBLIC OF SOUTH AFRICA

Provincial Supply Chain Management

Tax Clearance Requirements

Page 1 of 1

IT IS A CONDITION OF BIDDING THAT -

- 1.1 The taxes of the successful bidder **must** be in order, or that satisfactory arrangements have been made with the South African Revenue Service to meet his / her tax obligations.
- 1.2 The South African Revenue Service (SARS) from the 18 April 2016 has introduced an enhanced Tax Compliance Status System, whereby taxpayers will obtain their Tax Compliance Status (TCS) PIN instead of original Tax Clearance Certificate hard copies.
- 1.3 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.
- 1.4 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.
- 1.5 **Please note that not all Government Institutions will be able to utilise the Tax Compliance Status PIN at this stage and in such instances, bidders must supply printed Tax Clearance Certificate**
- 1.6 In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Compliance Status (TCS) / PIN / CSD Number.
- 1.7 Where no TCS is available but the bidder is registered on the Central Supplier Database (CSD), a CSD Number must be provided.

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- | | | | | | |
|-----|-----------------------------------------------------------------|-----|--------------------------|----|--------------------------|
| 2.1 | Is the bidder a resident of the Republic of South Africa (RSA)? | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| 2.2 | Does the bidder have a branch in RSA? | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| 2.3 | Does the bidder have a permanent establishment in the RSA? | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
| 2.4 | Does the bidder have any source of income in the RSA? | YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |

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 ABOVE 1.4 ABOVE.



Provincial Supply Chain Management

Financial Statements

Page 1 of 1

Submission of Financial Statements

The latest financial statements for the last two years are required (except if it is a new or a dormant entity)

- a) Financial statements must be signed by the auditor (in the case of companies) or the accounting officer (in the case of close corporations) the owner (in case of sole proprietors). Signatures must be on the accounting officer's / auditors report on the auditor's /accounting officer's letterhead.
- b) Financial statements must be signed by the member/s (in the case of close corporations) or by the director/s (in the case of companies.)
- c) In bids where consortia/joint ventures/sub-contractors and partnerships are involved, all bidders must submit their financial statements.
- d) If it is a new or dormant entity an opening set of financial statements must be submitted with the tender document. A letter from the auditor (in the case of companies) or the accounting officer (in the case of close corporations) stating that the entity has not yet traded must be attached.
- e) In cases where an entity has operated for a period less than a year the Management Accounts Report for the period in operation must be submitted signed accordingly as stated in paragraph (a) and (b) of this document.
- f) In cases where the entity has operated for a period more than a year but less than two years, then the financial statement for the first year of operation signed accordingly as per paragraph (a) and (b) of this document must be submitted.

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:

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.

SBD 9**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

SBD 9

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.

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.

SBD 9

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

Js914w 2

 <p>GAUTENG PROVINCE PROVINCIAL TREASURY REPUBLIC OF SOUTH AFRICA</p>	<h1>Provincial Supply Chain Management</h1>
	<p>PREFERENCE POINTS CLAIM FORM</p> <p>Page: 1 of 6</p>

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 exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for 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:

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
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 adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

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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 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;

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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)

YES		NO	
-----	--	----	--

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?

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:	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		

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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 [TICK APPLICABLE BOX]

- Partnership/Joint Venture / Consortium

- One person business/sole propriety

- Close corporation

- Company

- (Pty) Limited

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

8.6 COMPANY CLASSIFICATION [TICK APPLICABLE BOX]

- Manufacturer

- Supplier


- Professional service provider

- Other service providers, e.g. transporter, etc.

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 contribution 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 –

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- (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.

Name(s) & Signature(s) of Bidder(s)

DATE:

ADDRESS:

WITNESSES

1	
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2	
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