



INVITATION TO BID

ADVERT DATE	09 SEPTEMBER 2020		
SITE INSPECTION	Due to the current COVID-19 pandemic, a site clarification meeting will not take place. Bidders are advised to liaison with Mr Phumlani Dlamini at 011 688 7843 or e-mail: pdlamini@jda.org.za for site inspection from 21-23 September 2020 between 10:00 and 11:00am.		
CLOSING DATE	12 OCTOBER 2020	CLOSING TIME	12H00
BID DESCRIPTION	RFP – SUPPLY, DELIVERY, INSTALLATION AND MAINTENANCE OF THE BACK-UP GENERATOR AND SERVICING OF THE UPS AT THE JDA FOR 36 MONTHS		
BID NUMBER	JDA/ICT-FAC/GEN-UPS/001/2020		

BID DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT:

Offices of the Johannesburg Development Agency, 3 Helen Joseph Street (Formerly President Street), the Bus Factory, Newtown, Johannesburg, 2000

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

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (see definition below)

¹ * MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) An employee of Parliament or a provincial legislature.

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Department: Procurement
Contact Person: Siyambonga Gcobo
Tel: 011 688 7851 **Fax:** 011 688 7899 **E-mail:** sgcobo@jda.org.za

ANY REQUIRIES REGARDING THE PROJECT MAY BE DIRECTED TO:

Department: ICT
Contact Person: Precious Betshwana
Tel: 011 688 7866 **Fax:** 011 688 7899 **E-mail:** pbetshwana@jda.org.za

Department: Facilities
Contact Person: Phumlani Dlamini
Tel: 011 688 7843 **Fax:** 011 688 7899 **E-mail:** pdlamini@jda.org.za

PLEASE NOTE: TENDERS MUST BE SUBMITTED ON THE TENDER DOCUMENTATION ISSUED. TENDER DOCUMENTATION MUST NOT BE REPRODUCED OR REARRANGED. ANY ADDITIONAL INFORMATION MUST BE SUBMITTED AS A SEPARATE ATTACHMENT TO THE TENDER DOCUMENT FAILURE TO DO SO WILL RESULT IN YOUR BID BEING DISQUALIFIED.

OFFER

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

NAME OF BIDDER

BID NUMBER

POSTAL ADDRESS

STREET ADDRESS

CONTACT PERSON

TELEPHONE NUMBER CODE NUMBER

CELLPHONE NUMBER

FACSIMILE NUMBER CODE NUMBER

E-MAIL ADDRESS

COMPANY REGISTRATION NUMBER

NATIONAL CENTRAL SUPPLIER DATABASE NUMBER

VAT REGISTRATION NUMBER

TAX VERIFICATION PIN NUMBER

TOTAL BID PRICE Excluding Value Added Tax

TOTAL BID PRICE in words

.....

.....

..... Excluding Value Added Tax

SIGNATURE OF BIDDER

CAPACITY UNDER WHICH THIS BID IS SIGNED

DATE

SUPPLIERS DATABASE REGISTRATION

National Treasury launched the National Central Supplier Database (NCSD) with effect from 1 September 2015.

This will enable prospective suppliers to register their companies on the following website www.csd.gov.za

Transitional Period (1 September 2015 to 30 June 2016)

1. During the transitional period suppliers are requested to register on the website where all their essential information such as Tax Clearance Certificates, VAT, and Company Registration Numbers and CIPC business status will be verified.
2. When conducting business with the JDA, you will be requested to provide us with the following:
 - Supplier Number and;
 - Supplier Registration Security Code so we can print your real time information;
 - Banking details with bank Stamp and;
 - Certified BBBEE Certificate.

Once a supplier has registered on NCSD, it will no longer be a requirement to provide the JDA with an Original Tax Clearance Certificate.

After Transitional Period 1 July 2016

Effective 1 July 2016, the JDA will only award business to suppliers who are registered on NCSD and suppliers will no longer be required to provide information as stipulated above.

For more information on registration, please:

Ms. Kgadi Mphela on 011 688 7813
Mr. Siyambonga Gcobo on 011 688 7811

To all our stakeholder

RE: The channels of reporting fraudulent and Corrupt Activities

The City of Johannesburg has a **zero-tolerance approach to Fraud, Theft, Corruption, Maladministration, and Collusion** by suppliers with employees. To reinforce this commitment, more channels have been added to report any Fraudulent and Corrupt activities.

Instances of corporate fraud and misconduct remain a constant threat to service delivery. The City of Johannesburg took a resolution to adopt strategic interventions aimed at combatting fraud and corruption. The City took a decision to centralize the reporting of fraudulent and corrupt activities through the establishment of an independent fraud hotline which is managed by independent service providers.

All people doing business with the Johannesburg Development Agency are encouraged to report any corrupt or illegal practice.

Employees are encouraged to report fraud, waste or other concerns suggestive of dishonest or illegal activities.

Anyone can report fraudulent and corrupt activities through one of the following channels:

- Toll free number.....0800 002 587
- Toll free Fax0800 007 788
- SMS (charged @ R1.50).....32840
- Email Address:.....anticorruption@tip-offs.com
- Web site:.....www.tip-off.com
- Free post:.....Free post, KNZ 138, Umhlanga, 4320



Let's join hands to take up the Fight against Fraud and Corruption in our society.

JOHANNESBURG DEVELOPMENT AGENCY

RFP – SUPPLY, DELIVERY, INSTALLATION AND MAINTENANCE OF THE BACK-UP GENERATOR AND SERVICING OF THE UPS AT THE JDA FOR 36 MONTHS

Project Implementation for three years

Tender advertisement: 09 September 2020

Site Inspection: Due to the current COVID-19 pandemic, a site clarification meeting will not take place. Bidders are advised to liaison with Mr Phumlani Dlamini at 011 688 7843 or e-mail: pdlamini@jda.org.za for site inspection from 21-23 September 2020 between 10:00 and 11:00am.

Closing date: 12 October 2020 @ 12H00

BID NUMBER: JDA/ICT-FAC/GEN-UPS/001/2020

September 2020

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ANNEXURES

- A : Business Declaration
- B : Declaration of Interest
- C : Declaration of Past SCM Practices
- D : Particulars of Contracts Awarded by an Organ of State
- E : MBD9 Certificate of Independent Bid Determination
- F : Organogram
- G : Schedule of completed projects
- H : Declaration of Municipal Account

COPY OF ADVERT

TENDERING PROCEDURES

Tender Notice and Invitation to Tender

BID DESCRIPTION: RFP – SUPPLY, DELIVERY, INSTALLATION AND MAINTENANCE OF THE BACK UP GENERATOR AND SERVICING OF THE UPS AT THE JDA FOR 36 MONTHS

BID NUMBER: JDA/ICT-FAC/GEN-UPS/001/2020

The JDA is requesting proposals from experienced companies and joint ventures to render supply, delivery, installation and maintenance of the backup generator and servicing of the ups at the JDA for 36 months. Individual or Multi-disciplinary company's and Joint ventures are eligible to submit tenders provided that they satisfy criteria stated in the Tender Data.

Documents can be downloaded from the JDA website: www.jda.org.za and e-Tenders portal www.etenders.gov.za from the 09 September 2020. Tenders must only be submitted on the tender documents that are downloaded from the stipulated websites only. The retyping of the tender document is not permitted.

Queries relating to the issue of these documents and procurement related issued may be addressed to Mr Siyambonga Gcobo at tel: (011) 688 7811; fax (011) 688 7899; or e-mail: sgcobo@jda.org.za or to Mrs Claudia Mahlaule at tel: (011) 688 7851; fax (011) 688 7899; or e-mail: cmahlaule@jda.org.za.

Technical queries or queries relating to the project may be addressed to Ms Precious Betshwana and Mr Phumlani Dlamini at (011) 688 7866 and (Ms Betshwana) 011 688 7843 (Mr Dlamini); fax: (011) 688 7899; or e-mail: pbetshwana@jda.org.za and pdlamini@jda.org.za

Due to the current COVID-19 pandemic, a site clarification meeting will not take place. Bidders are advised to liaison with Mr Phumlani Dlamini at 011 688 7843 or e-mail: pdlamini@jda.org.za for site inspection from 21-23 September 2020 between 10:00 and 11:00am.

The last day for the site the receipt of queries is the 25th of September 2020.

The closing time for receipt of tenders is 12:00pm on 12 October 2020. Telegraphic, telephonic, telex, facsimile, e-mail and late tenders will not be accepted.

Tenders must only be submitted on the tender documentation that is issued. The retyping of the tender document is not permitted.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

The JDA's selection of qualifying tenders will be at the JDA's sole discretion and will be final. The JDA does not bind itself to accept any particular tender and correspondence will be entered into with successful tenderer.

“WE ENCOURAGE ALL PEOPLE DOING BUSINESS WITH US TO REPORT ANY CORRUPT OR ILLEGAL PRACTICE, USING THE ANTI-FRAUD HOTLINE NUMBER: 0800 002 587”

1. **INTRODUCTION**

The Johannesburg Development Agency (JDA) is requesting proposals from service providers to;

- Supply, install, commission and maintain a backup generator
- Service the current UPS
- Configure the current UPS to the supplied Generator

The appointment period envisaged is for 36 Months. The JDA will welcome all proposals which will cover the requirements as set out in this documentation.

Proposals for this appointment are invited by public tender.

2. **PROJECT INFORMATION**

2.1 **Background**

The JDA currently has 40kVa UPS that has been connected to support all IT equipment within the server room. The JDA wishes to support the current UPS with a 60kVa backup generator and also connect strategic area lights and plugs to be powered during power outages.

The successful service providers will be appointed to the JDA for Backup Generator and UPS Services.

Service providers for Backup Generator and UPS services who wishes to be appointed as JDA Backup Generator and UPS Service Providers must ensure that all forms are completed in full, together with all annexures and signed by authorised representatives.

Service providers for Backup Generator and UPS services must ensure that all details, as required in this request for proposals and forms are complete, that the furnished information is correct and that the required returnable documents are attached to the proposal. Incomplete applications will not be considered for appointment and placement in the panel of service providers.

Submissions from Service Providers

Service providers of Backup Generator and UPS services will be vetted through a compliance process to determine that all information provided is correct and thereafter evaluated for capacity and capability to render services applied as and when required to. Acceptable professional registration of principal(s) / employed staff is a criteria for being appointed. Applications herein consent to any investigation the JDA deems necessary in validating any particulars presented in this request for proposal. If it is found that the consultants are not sufficiently capacitated to perform services within a specific category applied for, the consultant will not be appointed for that service category and will be informed of such decision.

The appointment of service providers for Backup Generator and UPS services will be valid for a period of 36 months.

2.2 Contract Objective

The JDA wishes to appoint a Backup Generator and UPS Service Providers to provide Backup Generator and UPS services for 36 months.

The service providers must have at least 10 years' experience as a registered supplier and installer of Backup Generators and UPSs.

3. SCOPE OF WORK

A suitably qualified and experienced service provider for 60kVa Diesel Backup Generator supply, transportation, installation, commissioning, testing and maintenance and servicing of the existing 40kVa UPS in the following manner;

- The service provider must supply, install and commission the 3 phase with prime output rating of 60kVa Backup Generator to feed the UPS system.
- The service provider must install shelter with a lockable entrance gate to secure the Generator sets against theft.
- All work and equipment shall be in accordance with the approved SABS Standards and shall comply with the Occupational Health and Safety Act, No 85 of 1993 and current regulations of all other codes applicable to this work.
- It is the contractor's responsibility to ensure that all circuits are designed to carry the load. The contractor must ensure that the phases are properly balanced.
- Circuit breakers, isolators and wiring to be correctly sized for each unit as per SANS 10142 wiring regulations.
- The Contractor shall ensure that sufficient fuel is provided for testing and commissioning.
- The contractor is responsible to provide cable routes and cabling from main DB to the Generator set.
- Earth continuity shall be maintained throughout the complete installation.
- A fully automatic change-over system must be provided to isolate the mains supply and connect the standby set to the outgoing feeder in case of a mains failure and reverse this procedure on return of the mains.
- At least 12 months' warranty on equipment and 6 months guarantee on installation and workmanship

Cabling

- The contractor will be responsible for all electrical cable connections associated with the complete generating set installation.

- The Contractor shall ensure adequate provision of cable for a distance approximately 120m from the generator to the DB Board and substation, subject to full measurement on site. Also note that the amount quoted for this item is to be used in part or in full at the discretion of the client (JDA)

Compliance

- The bidding service provider must be registered in terms of the Electrical Contractors' Association of South Africa [ECA (SA)], as proof thereof; a copy of registration must be attached with the bid.
- Certificate of compliance (COC) after installation, testing and commissioning
- Installation circuit diagram must be issued to JDA

4. APPOINTMENT

The JDA is requesting proposals from experienced companies to provide Backup Generator and UPS services to the JDA. The appointment will be over 36 months. The services required are outlined in item 2 above. This is followed by item 4.1 below which applicants are required to take note of.

4.1 Notes

- 4.1.1 Applicants are to ensure that they have adequate resources to undertake the work under stringent timeframes.
- 4.1.2 Disputes shall be settled in good faith between parties in an effort to resolve the dispute. If the dispute is not resolved at that meeting, the Parties will attempt to settle it by mediation.
- 4.1.3 The JDA reserves the right to ask tenderers to replace any member/s of the proposed team if they do not meet the JDA requirements.
- 4.1.4 Successful tenderers will be required to sign the JDA's Standard Form Agreement and appendices.
- 4.1.5 **Appointments for year 2 and year 3 will be dependent on satisfactory performance and budget availability.**
- 4.1.6 The JDA reserves the right to ask tenderers to replace any member/s of the proposed team if they do not meet the JDA requirements.
- 4.1.7 No tender will be awarded to a bidder whose tax matters are not in order with SARS.
- 4.1.8 No tender will be awarded to a bidder who is not registered on CSD.

5. PRICING

5.1.1 Fees must include standard disbursements such as typing, reproduction, copying, binding of documents, telephonic / electronic and facsimile communications, courier, local travel and accommodation, etc.

5.1.2 The above percentages must be fixed for the duration of the contract.

THE DISCOUNTED PERCENTAGE THAT WILL BE OFFERED TO THE JDA MUST BE CARRIED TO THE “OFFER” PAGE. FAILURE TO PRICE AS INDICATED ABOVE WILL RESULT IN A NON-RESPONSIVE TENDER AND THE TENDER WILL BE DISQUALIFIED.

5.1.3 Tenderers must ensure that the final **TOTAL FEE (Year1+ year2 + year3)** is correctly carried to the “offer” page. The value recorded on the offer page will be regarded as the tendered amount to render services. Failing to price as required will result in the tender being disqualified.

5.1.4 Successful tenderers will be remunerated in accordance with JDA’s Standard Form Agreement.

YEAR 1

Items	Description	Quantity	Cost
60kVa backup generator	supply	1	
	Installation (material, equipment loading and balancing)	1	
	Test and commission	1	
	Maintenance	11	
40kVa UPS	Maintenance	11	
	UPS Generator configuration	1	
TOTAL YEAR 1			

YEAR 2

Items	Description	Quantity	Cost
60kVa backup generator	Maintenance	12	
40kVa UPS	Maintenance	12	
TOTAL YEAR 2			

YEAR 3

Items	Description	Quantity	Cost
60kVa backup generator	Maintenance	12	

40kVa UPS	Maintenance	12	
TOTAL YEAR 3			

GRAND TOTAL FEE FOR YEAR1 +YEAR2+YEAR3 excluding VAT(once –off + Annual)	R
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Tenderers are required to submit a detailed fee proposal based on the requirements set out in item 5 above and to ensure that the final TOTAL FEE IS CORRECTLY TRANSFERRED TO THE “OFFER” PAGE. Any bidder who fails to do so will be disqualified.

6. PROPOSAL CONTENT

The bidder’s submission must provide the JDA with sufficient information to enable the employer to make a sound and fair evaluation of the proposal. It must clearly indicate the **relevant** previous experience, capability, and capacity of the bidding entity to undertake the project. The proposal should **use the same item numbers as below, using numbered dividers.**

The following minimum documentation must be provided:

- 6.1 **THE “OFFER” PAGE MUST BE COMPLETED IN FULL AND SIGNED.** Any bidder who fails to do so will be disqualified.
- 6.2 **Tenderers are required to submit a detailed fee proposal based on the requirements set out in item 5 above and to ensure that the final TOTAL FEE IS CORRECTLY TRANSFERRED TO THE “OFFER” PAGE.** Any bidder who fails to do so will be disqualified.
- 6.3 An original valid BBBEE status level verification certificate substantiating the bidding entities BBBEE rating or a certified copy thereof. Only certificates issued by verification agencies accredited by the South African Accreditation System (SANAS), or by registered auditors approved by the Independent Regulatory Board of Auditors (IRBA) will be accepted.

An EME must submit a sworn affidavit confirming the following:

- **Annual turnover revenue of R10 million or less; and**
- **Level of black ownership**

Any misrepresentation in terms of the above constitutes a criminal offence as set out in the B-BBEE Act as amended.

- 6.4 Company registration documents.
- 6.5 A copy of the bidding entity’s current municipal rates account in the name of the bidding entity or alternatively in the names of the directors / partners of the bidding entity.
- 6.6 Audited financial statements for the past three financial years.

- 6.7 Details of directors / partners / members and shareholders with certified copies of their identity
- 6.8 The bidding entity's certificated of professional membership/s to industry bodies
- 6.9 The forms A to J annexed, must be scrutinized, completed in full and submitted together with your tender.
- 6.10 A corporate brochure alternatively a brief summary of the entity's background.
- 6.11 Provide information on the individuals who will be assigned to **this project (NOT the entire company)**. The following **must** be addressed:
- Organogram
 - role/s and responsibility/ies on this project
 - relevant qualifications and attach proof hereof
 - number of years of relevant experience in the industry **and** in the proposed role
 - detailed CV's for each member of the team noting their specific relevant project experience [**project description, role and responsibilities, project value**]
 - individual memberships to professional associations and attach proof hereof
- 6.12 A schedule of completed contracts of a similar nature to this project. The following details **must** be included on the schedule:
- Description of the project
 - Service rendered
 - Name of employer / client and their representative's contact details
 - Cost of the works
 - Fee obtained for services
 - Date of completion
 - Letter of reference on the client's letterhead or with the client's company stamp that confirms project scope of work, service rendered and project value.

TENDERERS ARE TO SUBMIT 2 COPIES OF THEIR PROPOSAL (1 ORIGINAL PLUS 1 COPY).

- 6.13 **The bidding service provider must be registered in terms of the Electrical Contractors' Association of South Africa [ECA (SA)],**
FAILURE TO COMPLY WITH THE REQUIREMENTS IN ITEM 6 ABOVE WILL RESULT IN TENDERERS BEING DISQUALIFIED FOR NON-COMPLIANCE OR NEGATIVELY SCORED IN THE TECHNICAL ASSESSMENT.

Note for consortium and joint ventures

- **EACH** party to a consortium and joint venture is to submit the requisite documents and / or information as requested in item 6 (ie.6.4 - 6.9, and 6.11 - 6.13)
- An Agreement or Heads of Terms recording the arrangement between the parties to the consortium / joint venture is to be submitted.
- A lead consultant is to be appointed and noted in the submission.
- A trust, consortium or joint venture will qualify for points for their BBBEE status level as an unincorporated entity, provided that the entity submits their consolidated BBBEE scorecard as if they

were a group structure and that such a consolidated BBBEE scorecard is prepared for every separate tender.

Failure to comply with these conditions may invalidate your offer.

7. ASSESSMENT CRITERIA

The tender will be evaluated on the criteria below:

- Local Content
- Compliance
- Technical
- Price / BBBEE
- Risk Tolerance

7.1 Compliance

Bidders will be disqualified in the following instances;

- **The bidding service provider must be registered in terms of the Electrical Contractors' Association of South Africa [ECA (SA)],**
- If any of its directors are listed on the register of defaulters;
- In the case of a bidder who during the last five years has failed to perform satisfactorily on previous contracts with the JDA or any other organ of state after written notice was given to that bidder that performance was unsatisfactory;
- Bidders who did not complete, in full, the tender offer page (i.e. priced, all registration numbers provided and signed);
- Bidders whose tender document has been completed in pencil;
- Bidders whose document has been faxed;
- Bidders whose tender document has been received after the closing time;
- Bidders whose tender document has not been deposited in the tender box at the time of closing;
- Bidders who fail to price as required i.e. as stipulated in item 5 herein;
- Bidders who failed to attend the compulsory tender briefing session;
- Bidders who have any directors that are in the employment of the state.
- No award will be made to any bidder who is not registered on the National Treasury Central Supplier Database (CSD);

7.2 Technical

The technical assessment is based on the criteria set-out below namely (i) key returnable documents, (ii) Capabilities; (iii) the experience of the company and (iv) the contactable references (i.e. Generator and UPS services per item 6.12 above).

Tenderers will have to submit compliant documents and score a minimum number of points in the technical evaluation in order to be considered further in the evaluation process.

The total points = **216 points** and the minimum points = **129** which translate to **60%**.

(i) KEY RETURNABLE DOCUMENTS	Total Points	Criteria	Description of Criteria	Points
A Key Returnable Documents	16	Company registration documents	Points will only be allocated for key returnable documents submitted	N/A
		Current municipal account		N/A
		3 Years of audited financial statements		N/A
		Certified copies of directors / partners identity documents		N/A
		Forms A ,B,C,D,E,F, G and H , cross check completed in full and signed		16

(ii) KEY PERSONNEL	Total Points	Criteria	Description of Criteria	Points
B Capability of proposed key personnel per Item 6.11	100 A total of 100 points is achievable for Capability of key personnel	Generator and UPS Services Key Account Manager : The Key Accounts must have a minimum of 5 years of experience as Key Accounts Manager.	Points will only be allocated for experience on Generator and UPS services	50

<p>B1</p> <p>Detailed CVs indicating track record of the proposed key team members</p>		<p>Manager-Technical Team: The Team Technical Manager must have a minimum of 5 years' experience in managing a technical team and have the following qualifications; Project Management Degree or Electrical Engineering Degree in Heavy Current</p>	<p>If any of the following information is not provided, zero points will be awarded:</p> <ul style="list-style-type: none"> • CV's provided must be as per the resources recorded on the organogram • CV's must clearly show similar experience • CV's must clearly show the role executed by the resource on the said projects <p>Note that duplication of resources/personnel on the designations indicated in the criteria will result in zero points being awarded. Both CV and qualifications must be submitted, failure to do so zero points will be awarded.</p>	25
		<p>Senior Technical Specialists (at least 2): The proposed Team must possess the following: A minimum of 5 years' experience in technical support for Generator and UPS services. At least a qualifications in Electrical Engineering diploma in Heavy Current</p>		25
(iii) COMPANY EXPERIENCE	Total Points	Criteria	Description of criteria	Points
<p>C1</p> <p>Company Experience and Track record on Generator and UPS services as per 6.12</p>	<p>50</p>	Five or more projects completed in Generator and UPS services	<p>Points will only be allocated to listed projects (with matching reference letters) in schedule D as requested in item 6.12 for Generator and UPS services</p> <p>Project information contained elsewhere in the tender submission will <u>not</u> be considered.</p>	50
		Three to four projects completed in Generator and UPS services		25
		One to two project completed, in Generator and UPS services		15
(iv) CONTACTABLE REFERENCES	Total Points	Criteria	Description of criteria	Points
C2	50	Five or more satisfactory references for Generator and UPS services	Bidders must note that only Reference letters for Generator	50

Contactable reference (on client letter head) as per Generator and UPS services as per 6.12	Only three to four satisfactory references for Generator and UPS services	and UPS services projects that are listed in schedule D will be considered References <u>must</u> be on the client's letterhead or on a document stamped by the client and <u>must</u> confirm the project description, services rendered in order to obtain the points. If <u>any</u> of the required information does not appear in the reference, zero points will be awarded.	30
	Only one to two satisfactory references for Generator and UPS services		10

Note regarding the submission of reference letters from JDA for JDA projects:

Should completed JDA projects be listed, bidders are required to supply reference letters for those JDA listed projects. Point will be awarded if the projects meet the required criteria (i.e. Generator and UPS services completed in the past 3 years) and were satisfactorily completed.

7.3 Price and Empowerment

Having completed a technical evaluation, the procedure for the evaluation of technically qualifying tenders is Method 2 (Price and Preferences). The Preference Point System assigns a score to each tenderer based on the tender price and on the tenderer's BBBEE status. These scores are combined to determine an overall score for the tender. The tender with the highest score will be considered for acceptance.

The Preference Point System will be applied as follows:

- For tenders up to R50 million
 - 80 points are assigned to price
 - Up to 20 points are assigned to BBBEE status per the table under item 8.3.1
- Points scored will be rounded off to the nearest 2 decimal places

8.3.1 Points awarded for BBBEE status level

Points will be awarded for empowerment (BBBEE), in accordance with the Preferential Procurement Regulations 2017 published in Government Gazette No. 40553 dated 20 January 2017. The table overleaf is applicable in this regard:

B-BBEE Status Level Of Contributor	Number of Points
	Tenders up to R50 million
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0

Notes:

- 7.3.1.1 “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act (Act No.53 of 2003).
- 7.3.1.2 Tenderers must submit their valid B-BBEE status level verification certificate substantiating their B-BBEE rating or a certified copy. Certificates issued by either verification agencies accredited by the South African Accreditation System (SANAS) or by registered auditors approved by the Independent Regulatory Board for Auditors (IRBA) are acceptable. **FAILURE TO SUBMIT A BBEE STATUS LEVEL CERTIFICATE WILL RESULT IN THE BIDDER SCORING ZERO (0) POINTS FOR BBEE.**
- 7.3.1.3 An EME must submit a sworn affidavit confirming the following:
- Annual Turnover Revenue of R10 million or less; and
 - Level of Black ownership
 - Any misrepresentation in terms of bullet point above constitutes a criminal offence as set out in the B-BBEE Act as amended.
- 7.3.1.4 The submission of such certificates must comply with the requirements of instructions and guidelines issued by the National Treasury and are in accordance with notices published by the Department of Trade and Industry in the Government Gazette.
- 7.3.1.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 7.3.1.6 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.
- 7.3.1.7 A person will not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for.
- 7.3.1.8 A person awarded a contract will not be permitted to sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned.
- 7.3.1.9 No tender will be awarded to a bidder whose tax matters are not in order with SARS.

7.3.1.10 No tender will be awarded to a bidder who is not registered on CSD.

7.3.2 Formula for scoring tender price

The following formula will be used to calculate the points for price.

$$P_s = X [1 - \frac{(P_t - P_{min})}{P_{min}}]$$

Where

P_s = Points scored for comparative price of tender under consideration

P_t = Comparative price of tender under consideration

P_{min} = Comparative price of lowest acceptable tender

X = **Points** assigned to price

7.3.3 The total preference points for a tender are calculated with the formula

$$PP = P_s + P_{bee} \text{ Where}$$

PP is the total number of preference points scored by the tenderer

P_s is the points scored for the comparative price of the tenderer, and

P_{bee} is the number of points awarded to the tenderer based on his certified B-BBEE status level

7.4 Risk Tolerance

7.4.1 The JDA has adopted a Risk Tolerance Framework (RTF) which enjoins the JDA to consider its risk exposure to contractors / service providers in terms of the number of contracts awarded as well as commercial risk to a single contractor / service provider in a particular year.

In terms of the Risk Tolerance Framework, the JDA determines the risk exposure as excessive in instances where the value of the contracts for **individual** professional service providers (e.g. project managers / engineers / quantity surveyors / consultants) is either:

1. The greater of R8 million or four contracts / projects in the current financial year or
2. The greater of R12 million or six contracts / projects over two financial years (current year and previous financial year)

And in instances where the value of contracts for **multi-disciplinary** professional service providers (e.g. more than one discipline / service is provided by the same bidder) is either:

3. The greater of R12 million or six contracts / projects in the current financial year or
4. The greater of R20 million or nine contracts / projects over two financial years (current year and previous financial year)

7.4.2 A risk analysis will also be undertaken on the tenderer having the highest ranking / number of points to ascertain if any of the following will not present any unacceptable commercial risk to the JDA in line with the JDA's risk tolerance framework;

- a) Unduly high or unduly low tendered rates, significant arithmetical errors and omissions in the tender offer;
- b) the tenderer has insufficient financial capability to perform the contract;
- c) total value and number of contracts awarded to a single contractor/service provider in a particular year.

A risk analysis shall be undertaken on the bidder with the highest number of points obtained, to determine whether the tenderer does not exceed the JDA's risk framework criteria as stated above. In other words, whether it falls within the ambit of the Risk Tolerance Framework as acceptable.

JDA reserves the right to award a contract to a bidder who has exceeded the threshold as stated above.

8. CLOSING DATE, TIME AND VENUE FOR SUBMISSIONS

The completed tender document shall be placed in a sealed envelope. The words:

“RFP – SUPPLY, DELIVERY, INSTALLATION AND MAINTENANCE OF THE BACK-UP GENERATOR AND SERVICING OF THE UPS AT THE JDA FOR 36 MONTHS”

Must be written / typed clearly on the envelope.

The envelope must be deposited in the tender box at the **Johannesburg Development Agency, Ground Floor, The Bus Factory, 3 Helen Joseph Street (Formerly President Street), Newtown** only between the hours of 08H00 and 17H00.

The Tender closes at 12h00 on 12 October 2020.

Bids will be stamped on receipt. There will be a public opening of tenders from 12:00 and JDA shall comply with the Covid – 19 number of people allowed in a gathering.

NO LATE / TELEPHONIC / FAXED / POSTAL TENDERS WILL BE ACCEPTED OR CONSIDERED.

The Johannesburg Development Agency's selection of qualifying tenders shall be in the Johannesburg Development Agency's sole discretion and shall be final. The Johannesburg Development Agency does not bind itself to accept any particular tender and no correspondence will be entered into.

Unsuccessful bidders will have the opportunity to query the award or decision within fourteen (14) calendar days from the day of notification.

The tender offer validity period for this tender is 120 days.

Queries can be addressed in writing to:

Precious Betshwana and Phumlani Dlamini

E-mail: pbetshwana@jda.org.za

E-mail: pdlamini@jda.org.za

ANNEXURE A : BUSINESS DECLARATION

Tender/RFP Number :

Tender/RFP Description :

Name of Company :

Contact Person :

Postal Address :

.....

Physical Address :

.....

Telephone Number :

Fax Number :

Cell Number :

E-mail Address :

Company/enterprise Income

Tax Reference Number :

(Insert personal income tax number if a one person business and personal income tax numbers of all partners if a partnership)

VAT Registration Number :

Company Registration Number :

1. Type of firm

- Partnership
- One person business/sole trader
- Close corporation
- Public company
- Private company

(Tick one box)

2. Principal business activities

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

3. Total number of years company has been in business:

4. Detail all trade associations/professional bodies in which you have membership

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

5. Did the firm exist under a previous name?

- Yes
- No

(Tick one box)

If yes, what was its previous name?

6. How many permanent staff members are employed by the firm:

Full Time :

Part Time :

7. In the case of a firm which renders services for different disciplines, how many permanent staff members are employed by the firm in the discipline for which you are tendering:

Full Time :

Part Time :

8. What is the enterprise’s annual turnover for the last three years and what is the estimated turnover of current commitments from 1 July 2015 to 30 June 2016 (excl. VAT):

R Year.....

R Year.....

R Year.....

9. List all contracts which your company is engaged in and have not yet completed:

CONTRACT DESCRIPTION	LOCATION	COMPANY/EMPLOYER	PROJECT VALUE	ESTIMATED FEES	EXPECTED COMPLETION (MONTH & YEAR)

10. Banking details

I/We hereby request and authorize you to pay any amounts which may accrue to me/us to the credit of my/our account with the mentioned bank.

I/We understand that the credit transfers hereby authorized will be processed by computer through a system known as the “ACB Electronic Fund Transfer Service” and

I/We also understand that no additional advice of payment will be provided by my/our bank, but details of each payment will be printed on my/our bank statement or any accompanying voucher.

This authority may be cancelled by me/us giving **30 days'** notice in writing.

BANK :

BRANCH :

BRANCH CODE :

ACCOUNT NUMBER :

ACCOUNT HOLDER :

TYPE OF ACCOUNT :

CONTACT PERSON :

CONTACT NUMBER :

The undersigned, who warrants that he/she is duly authorised to do so on behalf of the company, affirms that the information furnished in response to this request for proposal is true and correct:

SIGNATURE :

NAME IN FULL :

CAPACITY :

DULY AUTHORIZED TO SIGN ON BEHALF OF:

DATE :

COMPANY STAMP

ANNEXURE B: DECLARATION OF INTEREST

- 1. No bid will be accepted from persons in the service of the state*.
- 2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name:

3.2 Identity Number:

3.3 Position occupied in the company (director, trustees, shareholder**)

3.4 Company Registration Number:

3.5 Tax Reference Number:

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholders / members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state* **YES / NO**

If yes, furnish particulars

.....
.....

3.9 Have you been in the service of the state for the past twelve months? **YES / NO**

If yes, furnish particulars

.....
.....

3.10 Do you, have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**
If yes, furnish particulars

.....
.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**
If yes, furnish particulars

.....
.....

3.12 Are any of the company’s directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**
If yes, furnish particulars

.....
.....

3.13 Are any spouse, child or parent of the company’s directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**
If yes, furnish particulars

.....
.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders or stakeholders of this company have any interest in any other related companies or businesses whether or not they are bidding for this contract? **YES / NO**
If yes, furnish particulars

.....
.....

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

FULL NAME	IDENTITY NUMBER	STATE EMPLOYEE NUMBER

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

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

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

- * MSCM Regulations: "in the service of the state" means to be –
 - (a) a member of –
 - (i) Any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
 - (b) a member of the board of directors of any municipal entity;
 - (c) an official of any municipality or municipal entity;
 - (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
 - (e) a member of the accounting authority of any national or provincial public entity; or
 - (f) an employee of Parliament or a provincial legislature.

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

ANNEXURE C: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities 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 rejected if that bidder, or any of its directors have:
 - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as a company or person 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 National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		

Item	Question	Yes	No
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

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

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

*** Organ of State means-

- ◆ a) a national or provincial department;
- ◆ b) a municipality;
- ◆ c) a constitutional institution defined in the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- ◆ d) Parliament;
- ◆ e) a provincial legislature;
- ◆ f) any other institution or category of institutions included in the definition of “organ of state” in section 239 of the Constitution and recognised by the [Minister](#) by notice in the *Government Gazette* as an institution or category of institutions to which [this Act](#) applies

.....
Signature
(of person authorised to sign on behalf of the organisation)

.....
Position

.....
Name of Bidder

.....
Date

ANNEXURE E : CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

for
**RFP – SUPPLY, DELIVERY, INSTALLATION AND MAINTENANCE OF THE BACK-UP
GENERATOR AND SERVICING OF THE UPS AT THE JDA FOR 36 MONTHS**

in response to the invitation for the bid made by:

Johannesburg Development Agency

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

I certify, on behalf of:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium will not be construed as collusive bidding.

RFP – SUPPLY, DELIVERY, INSTALLATION AND MAINTENANCE OF THE BACK-UP GENERATOR AND SERVICING OF THE UPS AT THE JDA FOR 36 MONTHS

- 7. In particular, without limiting the generality of paragraph 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation);
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid;
 - or
 - (f) bidding with the intention not to win the bid.

- 8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

- 9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

ANNEXURE F : ORGANOGRAM

The tenderer shall list below the key personnel proposed for this project in the discipline and designation being tendered for.

DESIGNATION	NAME AND NATIONALITY	SUMMARY OF QUALIFICATIONS & EXPERIENCE
Account Manager 1 resource required		
Manager-Technical Team 1 resource required		
Senior Technical Specialists At least 3 resources required		

NOTE: Detailed Curriculum Vitae (CV's) of the above proposed candidates must be provided. Said CV's MUST indicate the name and description of the project, role played in the project, project value, and the start and end dates of the project. In addition proof of relevant qualifications and of memberships to relevant professional associations must also be provided for the above proposed candidates.

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

ANNEXURE G : SCHEDULE OF COMPLETED CONTRACTS

The tenderer shall list below a **maximum of 5 projects completed in the past 5 years of a similar nature and scale** to this project i.e. Generator and UPS Services.

CLIENT Company name and contact person's name, tel, cell & e-mail address	PROJECT Name and description	SERVICE RENDERED	PROJECT VALUE	COMPLETION DATE

NOTE: Contactable references for the above listed projects must be provided. Said references MUST be on the client's letter head or on a document stamped and signed by client and must confirm the name of the project, description of the project, description of the service rendered, the value of the project, the completion date, and it must rate the service rendered.

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

ANNEXURE H: DECLARATION ON STATE OF MUNICIPAL ACCOUNTS

- A Any bid will be rejected if:
Any municipal rates and taxes or municipal service charges owed by the bidder or any of the directors to the municipality or a municipal entity, or to any other municipality or municipal entity, are in arrears for more than three months.

- B Bid Information
 - i. Name of bidder:
 - ii. Registration Number:
 - iii. Municipality where business is situated.....
 - iv. Municipal account number for rates:
 - v. Municipal account number for water and electricity:
 - vi. Names of all directors, their ID numbers and municipal account number.
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
 - 6.
 - 7.

C Documents to be attached.

- i. A copy of municipal account mentioned in B (iv) & (v) (Not older than 3 months)
- ii. A copy of municipal accounts of all directors mentioned in B(vi) (Not older than 3 months)
- iii. Proof of directors

I/We declare that the abovementioned information is true and correct and that the following documents are attached to this form:

.....

.....

Signature

Date

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011 and the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

- x is the imported content in Rand
y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as required in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

1.6. A bid may be disqualified if –

- (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
- (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

- 2.1. **“bid”** includes written price quotations, advertised competitive bids or proposals;
- 2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);
- 2.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).
- 2.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour and intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;

- 2.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.

3. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

4. Does any portion of the services, works or goods offered have any imported content?
(Tick applicable box)

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

- 4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by the SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za.

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

- 5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?

(Tick applicable box)

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

- 5.1. If yes, provide the following particulars:

- (a) Full name of auditor:
- (b) Practice number:
- (c) Telephone and cell number:
- (d) Email address:

(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)

- 6. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the Accounting Officer / Accounting Authority provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Municipality / Municipal Entity):
.....

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thedti.gov.za/industrial-development/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the**

closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below. Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
 - (ii) the declaration templates have been audited and certified to be correct.

(c)The local content percentages (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C;

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Municipality /Municipal Entity has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Municipal / Municipal Entity imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____