# PART A

## INVITATION TO BID

You are hereby invited to bid for requirements of the (South African National Biodiversity Institute)

<table>
<thead>
<tr>
<th>BID NUMBER:</th>
<th>Q6672-2019</th>
<th>CLOSING DATE:</th>
<th>24 January 2020</th>
<th>CLOSING TIME:</th>
<th>11:00</th>
</tr>
</thead>
</table>

**Description**

The South African National Biodiversity Institute (SANBI) requires the services of an appropriately qualified Environmental Control Officer (ECO) to conduct environmental audits during planned civil and related construction works at the Thohoyandou Botanical Garden, Limpopo.

Submission of proposals: proposals must be emailed to [S.SCM-Quotations@sanbi.org.za](mailto:S.SCM-Quotations@sanbi.org.za) with a copy to Ms Modiba at [R.modiba@sanbi.org.za](mailto:R.modiba@sanbi.org.za)

<table>
<thead>
<tr>
<th>Bidding Procedure Enquiries may be directed to</th>
<th>Technical Enquiries may be directed to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONTACT PERSON: Rorisang Modiba</td>
<td>CONTACT PERSON: Mr Brighton Tshuma</td>
</tr>
<tr>
<td>TELEPHONE NUMBER: 012 339 2746</td>
<td>TELEPHONE NUMBER: 011 043 1307</td>
</tr>
<tr>
<td>FACSIMILE NUMBER: N/A</td>
<td>FACSIMILE NUMBER: N/A</td>
</tr>
<tr>
<td>E-MAIL ADDRESS: <a href="mailto:R.modiba@sanbi.org.za">R.modiba@sanbi.org.za</a></td>
<td>E-MAIL ADDRESS: <a href="mailto:tshumasb@projectneers.com">tshumasb@projectneers.com</a></td>
</tr>
</tbody>
</table>

## Supplier Information

<table>
<thead>
<tr>
<th>Name of Bidder</th>
</tr>
</thead>
<tbody>
<tr>
<td>POSTAL ADDRESS</td>
</tr>
<tr>
<td>STREET ADDRESS</td>
</tr>
<tr>
<td>TELEPHONE NUMBER</td>
</tr>
<tr>
<td>CELLPHONE NUMBER</td>
</tr>
<tr>
<td>FACSIMILE NUMBER</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
</tr>
<tr>
<td>VAT REGISTRATION NUMBER</td>
</tr>
</tbody>
</table>

**Supplier Compliance Status**

<table>
<thead>
<tr>
<th>B-BBEE Status Level Verification Certificate</th>
<th>B-BBEE Status Level Sworn Affidavit</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Tick Applicable Box] Yes</td>
<td>[Tick Applicable Box] Yes</td>
</tr>
<tr>
<td>[Tick Applicable Box] No</td>
<td>[Tick Applicable Box] No</td>
</tr>
</tbody>
</table>

[A B-BBEE Status Level Verification Certificate/ Sworn Affidavit (for EMES & QSEs) must be submitted in order to qualify for preference points for B-BBEE]
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Are you the accredited representative in South Africa for the goods/services/works offered? □ Yes □ No

[If Yes enclose proof]

Are you a foreign based supplier for the goods/services/works offered? □ Yes □ No

[If Yes, answer the questionnaire below]

Questionnaire to bidding foreign suppliers

Is the entity a resident of the Republic of South Africa (RSA)? □ Yes □ No

Does the entity have a branch in the RSA? □ Yes □ No

Does the entity have a permanent establishment in the RSA? □ Yes □ No

Does the entity have any source of income in the RSA? □ Yes □ No

Is the entity liable in the RSA for any form of taxation? □ Yes □ No

If the answer is “No” to all of the above, then it is not a requirement to register for a tax compliance status system pin code from the South African Revenue Service (SARS) and if not register as per 2.3 below.
### PART B
**TERMS AND CONDITIONS FOR BIDDING**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. BID SUBMISSION:</strong></td>
<td></td>
</tr>
<tr>
<td>1.1.</td>
<td>BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</td>
</tr>
<tr>
<td>1.2.</td>
<td>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</td>
</tr>
<tr>
<td>1.3.</td>
<td>THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</td>
</tr>
<tr>
<td>1.4.</td>
<td>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</td>
</tr>
<tr>
<td><strong>2. TAX COMPLIANCE REQUIREMENTS</strong></td>
<td></td>
</tr>
<tr>
<td>2.1.</td>
<td>BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</td>
</tr>
<tr>
<td>2.2.</td>
<td>BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.</td>
</tr>
<tr>
<td>2.3.</td>
<td>APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE <a href="http://WWW.SARS.GOV.ZA">WWW.SARS.GOV.ZA</a>.</td>
</tr>
<tr>
<td>2.4.</td>
<td>BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</td>
</tr>
<tr>
<td>2.5.</td>
<td>IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</td>
</tr>
<tr>
<td>2.6.</td>
<td>WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</td>
</tr>
<tr>
<td>2.7.</td>
<td>NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”</td>
</tr>
</tbody>
</table>

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

SIGNATURE OF BIDDER: ………………………………………

CAPACITY UNDER WHICH THIS BID IS SIGNED: ………………………………………

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

DATE: ………………………………………

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

---

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SBD 3.3

**PRICING SCHEDULE**  
(Professional Services)

<table>
<thead>
<tr>
<th>NAME OF BIDDER: ………………………………………………………………</th>
<th>BID NO.: Q6672/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLOSING DATE: 24 January 2020</td>
<td>CLOSING TIME: 11:00</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>ITEM NO</th>
<th>DESCRIPTION</th>
<th>BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The accompanying information must be used for the formulation of proposals.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Bidders are required to specify the aggregate (total) per visit and report, comprised of the sum of: hourly rate for site visits; hourly rate for supervision; estimated time-cost for travel; rate per report; travel costs (whether km or vehicle rental); accommodation if applicable</td>
<td></td>
</tr>
<tr>
<td></td>
<td>R________________</td>
<td></td>
</tr>
<tr>
<td></td>
<td>rates indicated below in item 4. This Rand-based summation will serve as the bidder’s bid price for evaluation purposes.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td><strong>KEY ACTIVITY</strong></td>
<td><strong>RATE</strong></td>
</tr>
<tr>
<td></td>
<td>Site Visit/Meetings (hourly)</td>
<td>R___________</td>
</tr>
<tr>
<td></td>
<td>Hourly rate for supervision</td>
<td>R___________</td>
</tr>
<tr>
<td></td>
<td>Estimated total time-cost for return-trip travel from nearest office to site, as determined on GPS-based mapping App:</td>
<td>R___________</td>
</tr>
<tr>
<td></td>
<td>Rate per report</td>
<td>R___________</td>
</tr>
<tr>
<td><strong>Known costs (complete only which is applicable):</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Kilometers to be claimed per site visit, return trip</td>
<td>____________ km</td>
</tr>
</tbody>
</table>

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Km cost per site visit (current NDPW rate applies)  R____________
Accommodation/night (if applicable)  R____________

4. Other expenses are to be claimed based on proven costs incurred. Proof of the expenses incurred must accompany certified invoices.

5. Period required for commencement with project after acceptance of bid

6. Are the rates quoted firm for the full period of contract?  YES / NO

7. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.

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

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

- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

2.1 Full Name of bidder or his or her representative: …………………………………………………………………………..

2.2 Identity Number: ……………………………………………………………………………………………………………………

2.3 Position occupied in the Company (director, trustee, shareholder², member): …………………………………………………………….

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust: ……………………………………………………………………………………………………….

2.5 Tax Reference Number: …………………………………………………………………………………………………………………

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

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and
2.6 VAT Registration Number: ……………………………………………………………………………………

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

2.7 Are you or any person connected with the bidder presently employed by the state? YES / NO

2.7.1 If so, furnish the following particulars:

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

…………………………………………………………………………………...

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

………………………………………………………………………

Position occupied in the state institution:

………………………………………………………………………

Any other particulars:

………………………………………………………………………

………………………………………………………………………

………………………………………………………………………

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO

2.7.2.1 If yes, did you attach proof of such authority to the bid document? YES / NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

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

…………………………………………………………………………

…………………………………………………………………………

…………………………………………………………………………
2.8 Did you or your spouse, or any of the company’s directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES / NO

2.8.1 If so, furnish particulars:

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

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO

2.9.1 If so, furnish particulars.

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

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? YES / NO

2.10.1 If so, furnish particulars.

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

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? YES / NO

2.11.1 If so, furnish particulars:

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

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

4 DECLARATION

I, THE UNDERSIGNED (NAME)................................................................................................................................

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.................................................. ..................................................
Signature Date

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


1. GENERAL CONDITIONS
1.1 The following preference point systems are applicable to all bids:
   - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
   - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2
   a) The value of this bid is estimated to not exceed R500 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
   b) The 80/20 preference point system will be applicable to this tender.

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

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

<table>
<thead>
<tr>
<th></th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRICE</td>
<td>80</td>
</tr>
<tr>
<td>B-BBEE STATUS LEVEL OF CONTRIBUTOR</td>
<td>20</td>
</tr>
<tr>
<td>Total points for Price and B-BBEE must not exceed</td>
<td>100</td>
</tr>
</tbody>
</table>
1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

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

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

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

\[
P_{80/20} = 80 \left( 1 - \frac{P_t - P_{\text{min}}}{P_{\text{min}}} \right)
\]

or

\[
P_{90/10} = 90 \left( 1 - \frac{P_t - P_{\text{min}}}{P_{\text{min}}} \right)
\]

Where

- \(P_s\) = Points scored for price of bid under consideration
- \(P_t\) = Price of bid under consideration
- \(P_{\text{min}}\) = Price of lowest acceptable bid

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

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

<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of points (90/10 system)</th>
<th>Number of points (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>9</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>6</td>
<td>14</td>
</tr>
<tr>
<td>4</td>
<td>5</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:
6. **B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

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

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

7. **SUB-CONTRACTING**

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

*(Tick applicable box)*

| 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

*(Tick applicable box)*

| YES | NO |

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

<table>
<thead>
<tr>
<th>Designated Group: An EME or QSE which is at least 51% owned by:</th>
<th>EME</th>
<th>QSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black people</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people who are youth</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people who are women</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people with disabilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people living in rural or underdeveloped areas or townships</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cooperative owned by black people</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people who are military veterans</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OR</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any EME</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any QSE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:

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

8.2 VAT registration number:

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

8.3 Company registration number:

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

8.4 TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium
☐ One-person business/sole propriety
☐ Close corporation
☐ Company
☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

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

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

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

8.6 COMPANY CLASSIFICATION

☐ Manufacturer
☐ Supplier
☐ Professional Service Provider
☐ Other Service Providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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

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

i) The information furnished is true and correct;

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

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

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

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

<table>
<thead>
<tr>
<th>WITNESSES</th>
<th>SIGNATURE(S) OF BIDDER(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. ..........................</td>
<td></td>
</tr>
<tr>
<td>2. ..........................</td>
<td></td>
</tr>
</tbody>
</table>

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

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

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

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

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

<table>
<thead>
<tr>
<th>Item</th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>Is the bidder or any of its directors listed on the National Treasury’s database as companies or persons prohibited from doing business with the public sector?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <em>audi alteram partem</em> rule was applied).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.1.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.2</td>
<td>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>To access this Register enter the National Treasury’s website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon “Register for Tender Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 326 5445.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section</td>
<td>Question</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>---------</td>
<td>-------------------------------------------------------------------------</td>
<td>-----</td>
<td>----</td>
</tr>
<tr>
<td>4.2.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.3</td>
<td>Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>4.3.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.4</td>
<td>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?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>4.4.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SBD 8**

**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 Date

.............................................. ..............................................
Position Name of Bidder

Stop Fraud, Theft and Corruption without Fear or Favour
Call our Hotline 086 011 1899 Anytime
CERTIFICATE OF INDEPENDENT QUOTATION DETERMINATION

1 This Standard Bidding Document (SBD) must form part of all quotations\(^1\) 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). Collusive bidding is a \textit{pe se} prohibition meaning that it cannot be justified under any grounds.

3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
   
   a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution’s supply chain management system and or committed fraud or any other improper conduct in relation to such system.

   b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

---

\(^1\) Includes price quotations, advertised competitive bids, limited bids and proposals.

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

I, the undersigned, in submitting the accompanying bid:

SANBI: Q6672/2019
THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES THE SERVICES OF AN APPROPRIATELY QUALIFIED ENVIRONMENTAL CONTROL OFFICER (ECO) TO CONDUCT ENVIRONMENTAL AUDITS DURING PLANNED CIVIL AND RELATED CONSTRUCTION WORKS AT THE THOHOYANDOU BOTANICAL GARDEN, LIMPOPO

(Quotation Number and Description)

in response to the invitation for the quote made by:

SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI)
(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:

______________________________________________________
(Name of Bidder)

that:

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 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.

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

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

............................................................  ............................................................
Signature  Date

............................................................  ............................................................
Position  Name of Bidder
1. BACKGROUND AND DISCUSSION

SANBI has been allocated funds by the national Department of Environment, Forestry & Fisheries (DEFF) for the period 2019/20 – 2021/22 for the refurbishment, upgrading, repair and maintenance of existing infrastructure as well as the construction of new infrastructure. The infrastructure will address the needs of SANBI from administrative, research and educational and tourism perspectives. Projects have been identified for implementation over the MTEF at each of SANBI’s existing campuses and sites across the country.

The planned construction works form part of the projects necessary for the development of the Thohoyandou Botanical Garden and include:

<table>
<thead>
<tr>
<th>Scope</th>
<th>Area (m²)</th>
<th>New or Refurbishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boundary Fence (Front Side)</td>
<td>1000</td>
<td>Refurbishment</td>
</tr>
<tr>
<td>Guest House Refurbishments</td>
<td>2500</td>
<td>Refurbishment</td>
</tr>
<tr>
<td>New Ablution Facility</td>
<td>200</td>
<td>New</td>
</tr>
<tr>
<td>Walking Trails</td>
<td>2000</td>
<td>Refurbishment</td>
</tr>
<tr>
<td>Canopy Walkway</td>
<td>600</td>
<td>New</td>
</tr>
<tr>
<td>Visitors Centre</td>
<td>900</td>
<td>New</td>
</tr>
<tr>
<td>Public Parking and Admin Block parking</td>
<td>7500</td>
<td>Refurbishment</td>
</tr>
<tr>
<td>Public Multi-purpose Hall</td>
<td>625</td>
<td>New</td>
</tr>
<tr>
<td>Roads</td>
<td>2400</td>
<td>Refurbishment</td>
</tr>
<tr>
<td>Stormwater Infrastructure including artificial dam</td>
<td>2500 and 35</td>
<td>Refurbishment and New</td>
</tr>
</tbody>
</table>
2. INVITATION TO QUOTE

Quotations are hereby invited for the services of a qualified Environmental Control Officer (ECO) to undertake environmental audits for the planned civil works, landscaping and related construction works at the Thohoyandou Botanical Garden. The ECO will be required to audit contractors’ compliance with the specifications listed in the Environmental Management Programme (EMPr), and any other environmental permits/authorisations as may be required.

The RfQ process will be co-ordinated by the SANBI’s Supply Chain Management (SCM) section at the following address:

SCM Manager
South African National Biodiversity Institute (SANBI)
Private Bag X101
Silverton
0184

3. EXTENT OF SERVICES

The services to be provided in terms of this project are inextricably linked to the Employer’s capital budget cycle. All services to be provided and construction works to be executed shall therefore be programmed to make full use of, but not exceed, the budget provision in any given financial year.

It should be noted that while the employer has every intention of completing the full Scope of Work making full use of the budget provision given, the Employer’s budget is subject to periodic review. Should it become necessary to vary the scope of work or even suspend or terminate this contract, such variation, suspension or termination shall be dealt with in accordance with the provisions of the Standard Professional Services Contract.

The Service Provider is required to provide all aspects of the Service with reasonable care, diligence and skill in accordance with generally accepted professional techniques and standards, and ensure that all legal requirements are met, and that all legal processes are adhered to.

3.1 Scope of Environmental Services

In terms of the Environmental Management Programme (EMPr) for the development, which will be provided to the appointed ECO, the ECO is required to visit and audit the site against compliance with the approved EMPr on a monthly basis.

Site visits once monthly will require meeting with the contractor / project manager and discussing environmental compliance issues and the measures required to address non-compliance issues.
A monthly audit report must be prepared, which must be submitted to SANBI and other authorities as required.

3.2 Duties of the ECO

- The identification of potential environmental impacts, prior to the onset of the project.
- Ensuring that the EMPr conditions are adhered to at all times and taking action (via the Principal Agent) where the specifications are not being followed.
- Ensuring that environmental impacts are kept to a minimum.
- Ensuring mitigation measures are implemented and to ensure compliance with the provisions of the EMPr.
- Reviewing and approving method statements in consultation with the Principal Agent.
- Advising the Principal Agent and contractor on environmental issues and assisting in developing environmentally responsible solutions to problems.
- Reporting to the client and Principal Agent on a regular basis and advising of any environmental impacts.
- Once construction starts, attending site progress meetings at least once a month with the responsible team and giving a report back on the environmental issues at these meetings and other meetings that may be called regarding environmental matters.
- Inspecting the site and surrounding areas regularly.
- Establishing and monitoring an on-going environmental awareness programme in conjunction with the contractor.
- Requesting the removal of person(s) and/or equipment not complying with the specifications.
- Keeping both a written and photographic record of progress on site from an environmental perspective, and an ad hoc record of all incidents or events on site with environmental ramifications. These records should be dated and accurately catalogued.
- Undertaking continual internal review of the EMPr and submitting a report at the end of the project period.
- The ECO will submit all written instructions and verbal requests to the contractor via the Principal Agent.
- Administrative requirements as stipulated in Section 4: Project Administration below.
4. **DELIVERABLES**

The ECO shall be required to attend the following meetings:

- **A kick-off meeting** with SANBI and appointed project representatives for contract signing
- **A kick-off meeting on site** with the contractor, Principal Agent, appointed Programme Manager and delegated SANBI personnel
- Monthly site compliance meetings over the construction period. The construction programme is intended to span 15 months. More frequent visits may be required during certain periods of the contract and these must be attended as and when necessary.
- A project close-out meeting
- **A monthly audit report** including a checklist must be prepared, which must be submitted to SANBI and the appointed Principal Agent and Programme Manager in electronic format for comment, as well as any other authorities as required, including DEFF.

5. **PROJECT ADMINISTRATION**

A close relationship between SANBI, their programme manager, and the appointed architect must be maintained during the preliminary phase of the project. One representative/project leader should liaise with SANBI (i.e. a single point of contact).

The leader shall ensure that the work undertaken complies with the scope of work described in this Terms of Reference. Should it become necessary to undertake additional work not described in this Terms of Reference, the work should not be undertaken until full motivation has been submitted to SANBI and approval for the work and the associated expenditure has been granted.

The project leader shall ensure that project staff regularly report back on progress made and on any findings. The project leader shall convey the information without any delay to the SANBI Project Manager or the appointed Programme Manager. If deemed necessary, a project management meeting will be arranged to discuss a way forward. SANBI reserves the right to cancel the contract if the above procedure is not adhered to.

All reports shall be submitted in electronic format, in addition to any hardcopies. The project leader shall ensure that project staff regularly report back on progress made and on any findings. The project leader shall convey the information without any delay to the appointed SANBI Project and Programme Managers. If deemed necessary, a project management meeting will be arranged to discuss a way forward. SANBI reserves the right to cancel the Contract if the above procedure is not adhered to.
6. COMPETENCIES AND REQUIREMENTS

Bidding ECOs are required to submit, at their own cost, a Project Proposal, in which they demonstrate their understanding of the work to be undertaken and show their ability to perform the work described in this brief.

Proposals should be concise and cost effective from a compilation and evaluation point of view. The following information, amongst others, needs to be included in the Proposal:

a) A description of the proposed methodology and deliverables.

b) Project programme detailing all aspects of work to be undertaken and associated milestones and deliverables. The ECO needs to take cognisance of the need for peer and client review of all reports prior to submission of these reports to the authorities for public review.

c) Cost details for each of the deliverables, including anticipated disbursements (see pricing section below).

d) Details, qualifications, professional registration and relevant experience of the ECO.

e) List of similar projects previously carried out with contact details of the client representative.

7. PRICING INFORMATION

The appointment will be priced on the following:

- A single, all-inclusive hourly charge
  - This will apply to each meeting including travelling time over 30 minutes each direction – under 30 mins each way is to be excluded (i.e. one hour of travelling time is to be deducted per meeting);
    - Invoiced travelling time is to be calculated from the Service Provider’s nearest office address to site and back, as verifiable on a GPS-based mapping App;
- All-inclusive charge per report for monthly audit and/or close-out reports;
- Costs:
  - Travel kilometres* to be charged in accordance with the prevailing National Department of Public Works rates, as revised from time-to-time;
    - *The first 30km in either direction is to be excluded (i.e. 60km total)
    - *Vehicle rentals, if applicable, to be charged off invoice;
  - Accommodation, if applicable, to be charged off invoice; and
  - Justifiable subsistence expenses pertaining to a site visit are to be charged on basis of proven cost
Bidders are required to provide rates for the personnel stipulated in the Terms of Reference, by completing SBD 3.3: Pricing Schedule for Professional Services. A rate against which no price is entered will be considered to be covered by the other prices or rates in the Pricing Schedule. Reasonable compensation will be received where no resource appears in respect of work required in the Scope of Works in terms of the Contract and which is not covered in any other rate.

Bids will be evaluated based on the aggregate cost per meeting as calculated per SBD 3.3, after correction for arithmetic extension errors.

The contract amount/appointment value will be capped at the amount stipulated in SBD 3.3. The appointed Service Provider will be required to manage their time and costs within the allotted budget, taking cognisance of any provisional sums. Provisional sums will be utilised at the discretion of SANBI and the Programme Manager.

8. POTENTIAL SERVICE PROVIDERS ARE REQUIRED TO SUBMIT THE FOLLOWING DOCUMENTATION

- Duly signed and completed SBD Forms 1 (Part A and B), 3.3, 4, 6.1, 8 and 9.
- The equity status of the interested party, (HDI, woman and disability) per the attached form (SBD 6.1)
- An original or certified copy of B-BBEE certificate or sworn affidavit. (Please note that failure to submit a valid original or certified B-BBEE; certificate/sworn affidavit mentioned above will result in the tender not being awarded points.
- Proof of qualification, experience and professional registration. The minimum qualification and experience requirements are as follows:
  - ECO must have either a BSc Environmental Science/Management, Honours degree (Environmental Science/Management), BTech or N Diploma (Nature Conservation) or in a related field
  - Post-qualification experience in the area of Environmental Science/Management: minimum of 5 years’ relevant experience in environmental management on construction projects
  - Proof of registration with an environmental-related professional body.
- A current copy of the Central Suppliers Database (CSD) registration report.
- A valid letter of good standing certificate with COIDA is required. The certificate should be issued by the Department of Labour.
- Proof of Public Liability Insurance.

9. EVALUATION OF PROPOSALS

The Preferential Procurement Policy Framework Act (No. 5 of 2000) and SANBI procurement process applies to these Terms of Reference. Note that Service Providers are required to
comply with the processes outlined here and failure will result in the disqualification of proposals:

This evaluation will be in accordance with the National Treasury Instruction Note on the Amended Guidelines in Respect of Quotations that Include Functionality as a Criterion for Evaluation (issued 3 September 2010), this quote will be evaluated in two stages:

The first stage will evaluate functionality according to the criteria listed in the table below:

<table>
<thead>
<tr>
<th>Criteria for measuring Functionality</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Merit and approach of proposal (approach, time and deliverables)</td>
<td>30</td>
</tr>
<tr>
<td>2. Experience of the Service Provider and all team members of similar projects/studies.</td>
<td>35</td>
</tr>
<tr>
<td>3. Capacity, expertise and competencies of the Service Provider (qualifications, registrations, awards, references)</td>
<td>35</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100</td>
</tr>
</tbody>
</table>

** Service Providers who fail to score a minimum of 70 points out of a possible 100 points on functionality criteria will not be eligible for further consideration.

The second stage will evaluate the price and preference points of those bids that meet the minimum threshold for functionality. In accordance with the Preferential Procurement Regulations, 2011 pertaining to Preferential Procurement Policy Framework Act (No. 5 of 2000), the 80/20 point system will be applied in evaluating proposals that qualify for further consideration, where price constitutes 80 points and 20 points will be awarded as per Points allocated to a bidder on the B-BBEE status level certificate. If no B-BBEE status certificate is submitted, no points will be allocated for this criterion.

Sufficient information must be provided to allow the evaluation panel to score quotations against all these criteria. Failure to do so may result in the disqualification of quotations.

**10. INFORMATION TO BE PROVIDED BY SANBI**

SANBI will cover the fee (see Pricing section) agreed upon with the Service Provider.

SANBI staff members (specifically SANBI’s Chief Director: Conservation Gardens & Tourism and the SANBI-appointed Programme Manager) will avail themselves for various agreed meetings and will review and make comments on all draft documents as per the schedules agreed upon with the successful Service Provider.

**11. Time Frames**

The contract is for a period not exceeding the construction phase up to and including the close-out phase. This period excludes the SANBI kick-off meeting for contractual purposes.

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The actual starting date for the planned construction work will be determined by required municipal and authority approvals. A proposed programme for the required processes must be provided in the proposal, including key milestones and deliverables.

It should be noted that while the employer has every intention of completing the full scope of work making full use of the budget provision given, the Employer’s budget is subject to periodic review. Should it become necessary to vary the scope of work or even suspend or terminate this contract, such variation, suspension or termination shall be dealt with in accordance with the provisions of the Standard Professional Services Contract.

**12. Closing Date for quotations**

The closing date for submission of responses is **24 January 2020** at **11h00**.

Submission of proposals: proposals must be emailed to S.SCM-Quotations@sanbi.org.za with a copy to Ms Modiba at R.modiba@sanbi.org.za

For further information, contact Mr Christopher Willis on (012) 843 5200 / 082 5712769 or e-mail at c.willis@sanbi.org.za (SANBI).

**PLEASE NOTE: Emailed applications must not be more than 8MB.**