**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>SANBI: Q0703/2020</th>
<th>CLOSING DATE:</th>
<th>21 February 2020</th>
<th>CLOSING TIME:</th>
<th>11:00 AM</th>
</tr>
</thead>
</table>

**THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES THE SERVICES OF THE SERVICE PROVIDER FOR DEMOLITION OF TWO PEDESTRIAN BRIDGES AND CONSTRUCTION OF TWO NEW PEDESTRIAN BRIDGES AT THE KWAZULU NATAL NATIONAL BOTANICAL GARDEN, PIETERMARITZBURG.**

Please note that this procurement includes Local content as per SBD 6.2 and find attached Local content Annexures

The respondents must have a contractor grading designation of CIDB 1 CE or higher

**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT** *(STREET ADDRESS)*

Proposals must be emailed to S.SCM-Tender@sanbi.org.za with a copy to Mr. L Madayi at L.Madayi@sanbi.org.za and Mr. Prince Hlongwane at P.Hlongwane@sanbi.org.za

**COMPULSORY SITE BRIEFING:**

This is compulsory and will be conducted at the venue, time and date given below:

- **Date:** 04 February 2020
- **Time:** 09:00
- **Venue:** 2 Zwartkop road, Prestbury, Pietermaritzburg

**BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:**

<table>
<thead>
<tr>
<th>CONTACT PERSON</th>
<th>Mr. Ludwe Madayi</th>
<th>CONTACT PERSON</th>
<th>Mr Simangaliso Fakude</th>
</tr>
</thead>
<tbody>
<tr>
<td>TELEPHONE NUMBER</td>
<td>(012) 843 5130</td>
<td>TELEPHONE NUMBER</td>
<td>(033) 344 3585</td>
</tr>
<tr>
<td>FACSIMILE NUMBER</td>
<td>N/A</td>
<td>FACSIMILE NUMBER</td>
<td>n/a</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:L.madayi@sanbi.org.za">L.madayi@sanbi.org.za</a></td>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:S.Fakude@sanbi.org.za">S.Fakude@sanbi.org.za</a></td>
</tr>
</tbody>
</table>

**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**

<table>
<thead>
<tr>
<th>CONTACT PERSON</th>
<th>Mr Simangaliso Fakude</th>
</tr>
</thead>
<tbody>
<tr>
<td>TELEPHONE NUMBER</td>
<td>(033) 344 3585</td>
</tr>
<tr>
<td>FACSIMILE NUMBER</td>
<td>n/a</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:S.Fakude@sanbi.org.za">S.Fakude@sanbi.org.za</a></td>
</tr>
</tbody>
</table>

**SUPPLIER INFORMATION**

<table>
<thead>
<tr>
<th>NAME OF BIDDER</th>
<th>POSTAL ADDRESS</th>
<th>STREET ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>TELEPHONE NUMBER</td>
<td>CODE</td>
<td>NUMBER</td>
</tr>
<tr>
<td>CELLPHONE NUMBER</td>
<td>CODE</td>
<td>NUMBER</td>
</tr>
<tr>
<td>FACSIMILE NUMBER</td>
<td>CODE</td>
<td>NUMBER</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
<td>VAT REGISTRATION NUMBER</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SUPPLIER COMPLIANCE STATUS</th>
<th>TAX COMPLIANCE SYSTEM PIN</th>
<th>OR</th>
<th>CENTRAL SUPPLIER DATABASE No.</th>
</tr>
</thead>
</table>

<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]</td>
<td>[TICK APPLICABLE BOX]</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Yes</td>
<td>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]

---

Stop Fraud, Theft and Corruption without Fear or Favour - Call our Hotline 0800 434 373 Anytime
<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Are you the accredited representative in South Africa for the goods/services/works offered?</strong></td>
<td>☐ Yes ☐ No</td>
<td></td>
</tr>
<tr>
<td><strong>Are you a foreign based supplier for the goods/services/works offered?</strong></td>
<td>☐ Yes ☐ No</td>
<td>[If yes enclose proof]</td>
</tr>
</tbody>
</table>

**Questionnaire to Bidding Foreign Suppliers**

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the entity a resident of the Republic of South Africa (RSA)?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the entity have a branch in the RSA?</td>
<td>☐ YES ☐ NO</td>
<td></td>
</tr>
<tr>
<td>Does the entity have a permanent establishment in the RSA?</td>
<td>☐ YES ☐ NO</td>
<td></td>
</tr>
<tr>
<td>Does the entity have any source of income in the RSA?</td>
<td>☐ YES ☐ NO</td>
<td></td>
</tr>
<tr>
<td>Is the entity liable in the RSA for any form of taxation?</td>
<td>☐ YES ☐ NO</td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>1. BID SUBMISSION:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1. 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. 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. 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. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. TAX COMPLIANCE REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</td>
</tr>
<tr>
<td>2.2. 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. 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. BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</td>
</tr>
<tr>
<td>2.5. 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. 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. 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.
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: ………………………………………………………………………………………

2.6 VAT Registration Number: ………………………………………………………………………………………

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

¹“State” means –
(a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999).

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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

---

“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.
2.8.1 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?  

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?  

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?  

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 Number / Persal Number</th>
<th>Employee Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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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
SBD 6.1

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

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


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>Points</th>
<th></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:

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

Where

\begin{align*}
Ps & = \text{Points scored for price of bid under consideration} \\
Pt & = \text{Price of bid under consideration} \\
P_{\text{min}} & = \text{Price of lowest acceptable bid}
\end{align*}

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
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-BBEE status level of contributor indicated in paragraphs
1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown
and I / we acknowledge that:

i) The information furnished is true and correct;

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

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

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

(a) disqualify the person from the bidding process;

(b) recover costs, losses or damages it has incurred or suffered as a result of
that person’s conduct;

(c) cancel the contract and claim any damages which it has suffered as a result of
having to make less favourable arrangements due to such cancellation;

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

<table>
<thead>
<tr>
<th>WITNESSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. ..........................................</td>
</tr>
<tr>
<td>2. ..........................................</td>
</tr>
</tbody>
</table>

| SIGNATURE(S) OF BIDDERS(S)                     |
| DATE: ........................................ |
| ADDRESS ...................................... |
| .............................................. |
| .............................................. |

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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? (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>
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<td></td>
<td><strong>4.1.1</strong> If so, furnish particulars:</td>
<td></td>
<td></td>
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<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)? 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) 3265445.</td>
<td>☐️</td>
<td>☐️</td>
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<tr>
<td></td>
<td><strong>4.2.1</strong> If so, furnish particulars:</td>
<td></td>
<td></td>
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</tbody>
</table>
4.3 Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?  

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
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<tbody>
<tr>
<td></td>
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<td></td>
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</table>

4.3.1 If so, furnish particulars:

4.4 Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?  

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
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<tbody>
<tr>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

4.4.1 If so, furnish particulars:

---

**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] Js365bW

---

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CERTIFICATE OF INDEPENDENT QUOTATION DETERMINATION

SBD 9

1 This Standard Bidding Document (SBD) must form part of all quotations¹ invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
   a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution’s supply chain management system and or committed fraud or any other improper conduct in relation to such system.
   b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

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

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

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

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

I, the undersigned, in submitting the accompanying bid:

SANBI: Q6703/2020 THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES THE SERVICES OF THE SERVICE PROVIDER FOR DEMOLITION OF TWO PEDESTRIAN BRIDGES AND CONSTRUCTION OF TWO NEW PEDESTRIAN BRIDGES AT THE KWAZULU NATAL NATIONAL BOTANICAL GARDEN, PIETERMARITZBURG.

(Quotation Number and Description)

in response to the invitation for the quote made by:

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: ___________________________________________ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

   (a) has been requested to submit a bid in response to this bid invitation;
(b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
(c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium\(^3\) will not be construed as collusive bidding.

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

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

\(^3\) 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
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| Position          | Signature | Date     | Name of Bidder |
|-------------------|-----------|----------|----------------|----------------|
|                   |           |          |                |                |

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.
REQUEST FOR QUOTATION

TERMS OF REFERENCE

THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES THE SERVICES OF THE SERVICE PROVIDER FOR DEMOLITION OF TWO PEDESTRIAN BRIDGES AND CONSTRUCTION OF TWO NEW PEDESTRIAN BRIDGES AT THE KWAZULU NATAL NATIONAL BOTANICAL GARDEN, PIETERMARITZBURG.

Background and discussion

The garden is located at the end of Mayors Walk in Pietermaritzburg, KwaZulu-Natal. Pietermaritzburg is the home of the provincial legislature for the KwaZulu-Natal Province.

This garden was established in 1874, the Garden's Victorian past is evident in its magnificent specimens of northern hemisphere plants, such as the swamp cypress, tulip trees, camphor trees, plane trees, giant figs and magnolias. One of the finest features of the Garden is the avenue of London Plane trees, which has been stunning visitors since 1908.

The KZNNBG property is 47.7 ha of which 12 ha is landscaped area, with the remaining 35.7 ha being either natural or a low-maintenance area. The boundary of the KZNNBG fenced, and it only has two public gates (i.e. Main boom gate and Tatham road resident’s gate)

Kwa-Zulu Natal National Botanical Garden's mission is to promote the sustainable use, conservation, appreciation and enjoyment of the exceptionally rich plant and animal life for South Africa, for the benefit of all people.

The aim of this Terms of Reference is to ensure that all service providers invited to tender, submit proposals based on the same understanding of the project.

Invitation to quote

Quotations are hereby invited for the services of a qualified a service provider for the demolition of two Existing pedestrian bridges and construction of two new pedestrian bridges at the Kwa-Zulu natal national botanical garden.
The tender 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

Specifications

- Site Clearing
  - Demolition of existing two bridges
  - Removal of old bridges refuse from the site to the dumping site

- Construction of two pedestrian bridges
  - bridge A
    - Length: 5.2m
    - Width: 1.9m
  - bridge B
    - Length: 4.8m
    - Width: 2.0m
  - bridge should be constructed using ecology plastic planks and poles made from 100% recycled plastic, refer to figure 1.1 and 1.2 below
  - 140mmx23mm square edge infinity board making a deck (walkways) with 5mm gaps between boards, refer to figure 1.2 below
  - Vertical poles:100mmx70mm spaced at 1,2m using 100mm x 38mm bearers
  - Joints: 100mm x 38mm
  - Decking: 145mm x 24mm
  - Handrails and knee-rails: 100mm x 38mm

Commented [ZC1]: What type of poles
Commented [SZ2R1]: 100% recycled plastic

Commented [ZC3]: Are they steel
Commented [SZ4R3]: 100% recycled plastic; refer to figure 1.1 and 1.2 below

Commented [ZC5]: Are they steel
Commented [SZ6R5]: Steel; yes

Commented [ZC7]: Is this steel or plastic
Commented [SZ8R7]: Plastic

Commented [ZC9]: Are we having bolts and nuts and screws, nails
Commented [SZ10R9]: Bolts, nuts, and or screws
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Figure 1.1

Figure 1.2

Ideal and proposed material

NB:

- Area must be cleaned upon project completion
- The service provider should not damage any plants during the project
The specifications are subject to change to allow any other newly observed additions to aid the success of the project. All newly observed additions by the supplier are subject to SANBI verification and authorization before they can be added to initial specification.

**Evaluation Criteria**

<table>
<thead>
<tr>
<th>FUNCTIONALITY CRITERIA</th>
<th>POINTS</th>
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<tbody>
<tr>
<td>1. Proposed concept</td>
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<tr>
<td>- The service provider must display a clear concept of constructing these bridges together with a program/ scope of work and time frames</td>
<td>40</td>
</tr>
<tr>
<td>2. Relevant experience</td>
<td></td>
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<tr>
<td>- The service provider must demonstrate or provide a list previously undertaken similar work</td>
<td>20</td>
</tr>
<tr>
<td>- Three traceable references should be provided</td>
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</tr>
<tr>
<td>3. Occupational Health and Safety management</td>
<td>20</td>
</tr>
<tr>
<td>- Display of how he/she plans to ensure health and safety compliance for his employees and general garden visitors</td>
<td></td>
</tr>
<tr>
<td>4. Quality assurance system</td>
<td></td>
</tr>
<tr>
<td>- Are there any systems in place that guarantees the quality of work undertaken</td>
<td>20</td>
</tr>
<tr>
<td>- Project monitoring period</td>
<td></td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

**Nature of appointment & contractual arrangement**

Contract and payment:
- The agreement will be drawn up between SANBI and the Service Provider.
- Invoices will be paid upon deliverables received.
- Invoices must indicate the deliverable produced. **No upfront payments will be made.**
- SANBI will pay for the satisfactory completion of work within 30 days of submission of invoice.
- In the case of invoices to SANBI they must be addressed to SANBI.
Potential Service Providers are required to submit the following documentation

- 3 verifiable references of the previous work undertaken and possible reference letters
- The equity status of the interested party, (HDI, woman and disability) per the attached form (SBD 6.1)
- SBDS, SBD 1 (Part A and B), 4, 6.1, 6.2, 8, and 9) and Local Content Annexures
- A valid B-BBEE Status Level Certificate / Sworn Affidavit
- Submit a quotation that addresses the scope of work as per the above specifications and outputs
- Quotations must include cost break down of all the specifications and price must be VAT inclusive
- Full CSD report
- For all electrical work, service provider must be a registered Electrical Contractor with the Department of Labour and such registration must be valid during the period of contract.
- Must be in a position to issue Compliance Certificate after the work is completed.
- The respondents must have a contractor grading designation of CIDB 1 CE or higher
- The service provider will comply with all relevant government legislations such as Basic Condition of Employment, Labour Relations Act. Health and Safety and National Environmental Management Act 107 of 1998 etc. As well as comply with SANBI’s terms and conditions including the service level agreement.

- Service providers with one or more employees are required by law to contribute to the Compensation Fund. A valid letter of good standing certificate with COIDA is required. The certificate should be issued by the Department of Labour.
- The service provider must have a Liability Insurance Cover for the company and the amount available per claim.

Closing date for quotations

The closing date for submission of responses is **21 February 2020** at 11:00

For further information, contact Mr Simangaliso Fakude on (033) 344 3585 or e-mail M.Mathalauga@sanbi.org.za (SANBI) or Miss Sthembile Zondi (033) 344 3585 or e-mail S.Zondi@sanbi.org.za (SANBI).

Supply chain related matters, contact M Ludwe Madayi on L.Madayi@sanbi.org.za or Prince