

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE)					
RFQ NUMBER:	Q8610/2022	CLOSING DATE:	18 October 2022	CLOSING TIME:	11:00am
SANBI requires a service provider for preventative maintenance, corrective maintenance, replacement and installation of Heating, Ventilation and Air Conditioning (HVAC) at the Kirstenbosch National Botanical Garden Please note: This procurement includes Local content as per SBD 6.2 Please find attached Local content Annexures It is estimated that tenderers should have a CIDB contractor grading designation of Level 2 ME or higher.					
BID RESPONSE DOCUMENTS MAY BE E-MAILED TO BELOW ADDRESSES:					
Submission of proposals: Proposals must be emailed to Ms. Ripfumelo Fumani S.SCM-Quotations@sanbi.org.za and copy r.fumani@sanbi.org.za . Please state the Bid number as the reference number on the subject line when responding to the RFQ					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ripfumelo Fumani		CONTACT PERSON	Wayne Peck	
TELEPHONE NUMBER	0128435037		TELEPHONE NUMBER	0128435000	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	r.fumani@sanbi.org.za		E-MAIL ADDRESS	W.Peck@sanbi.org.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No
[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]					

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]
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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

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. 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.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
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.
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."

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:

Stop Fraud, Theft and Corruption without Fear or Favour - Call our Hotline 0800 160 999 Anytime

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND

² 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.

COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS
DECLARATION PROVE TO BE FALSE.

.....	
Signature	Date
.....	
Position	Name of bidder

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

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

a) The value of this bid is estimated to not exceed R50 000 000 (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:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

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

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

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-BBEE | Status | level |
|--|--------|--------|--------------|
| 1) certificate issued by an authorized body or person; | | | |
| 2) prescribed by the B-BBEE Codes of Good Practice; | A | sworn | affidavit as |
| 3) prescribed in terms of the B-BBEE Act; | Any | other | requirement |

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

80/20 or **90/10**

$$P_s = 80 \left(1 - \frac{Pt - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{Pt - P_{\min}}{P_{\min}} \right)$$

Ps = Points scored for price of bid under consideration
Pt = Price of bid under consideration
Pmin = Price of lowest acceptable bid

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:

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

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

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people	☐	☐
Black people who are youth	☐	☐
Black people who are women	☐	☐
Black people with disabilities	☐	☐
Black people living in rural or underdeveloped areas or townships	☐	☐
Cooperative owned by black people	☐	☐

Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

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

WITNESSES

- 1.
- 2.

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

DATE:

ADDRESS

.....

.....

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) 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, 2017, 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, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders 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 South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated 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 this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;
- 2. 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:**

Description of services, works or goods	Stipulated minimum threshold
Electrical cables	90%
PVC trunking	100%

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

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

- 3.1 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 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.

4. 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 AO/AA 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: Q8610/2022

ISSUED BY: (Procurement Authority / Name of Institution): **SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE.**

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.thdti.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
- (c) The local content percentage (%) 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 / Institution 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 / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000(Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

**Terms of Reference (ToR)
Q8610/2022**

Appointment a service provider for preventative maintenance, corrective maintenance, replacement and installation of Heating, Ventilation and Air Conditioning (HVAC) at the Kirstenbosch National Botanical Garden

1. SPECIFICATIONS

To invite eligible bidders for the appointment of a Heating, Ventilation and Air Conditioning (HVAC) service provider for a complete preventative maintenances, repair, replacement and installation service for a period of thirty-six (36) months to ensure that all HVAC Installations at Kirstenbosch NBG perform at their optimum level to ensure business continuity. Given the specialist nature of this service a single preferred service provider will be appointed.

2. SERVICES REQUIRED

2.1 The service provider is required to:

The South African National Biodiversity Institute (SANBI) requires the services of a suitably qualified and experienced service provider at the Kirstenbosch NBG for a period of three (3) years. The scope of works includes but are not necessarily limited to the following:

Preventative Maintenance

Preventative maintenance set service frequency at acceptable industrial standards, taking the necessary precautions and actions to prevent accidents or equipment failures from occurring before they happen. Preventative maintenance is scheduled in time-based maintenance, and prescriptive maintenance. The scope of works for the time-based preventative maintenance plan includes:

Quarterly maintenance

- Quarterly services of the HVAC Installations in the server room
- Quarterly services of the electrical and controls

Bi-Annual maintenance

- Quarterly Services of the HVAC Installations in offices and critical as per manufacturers specification

Annual maintenance

- Annual services of the walk-in freezers

Corrective Maintenance

Corrective maintenance tasks as and when required includes rectifying and repair faulty systems and equipment's, to restore systems that have been broken down, benefits of reducing emergency maintenance orders, increase safety of employees, extend services interruptions, extend asset lifetime, optimizing resource planning and decreases downtime and works on a quotation basis.

Corrective maintenance is scheduled in run to failure and condition-based maintenance. The scope of works for the corrective maintenance plan includes:

Repairs

- Service of equipment or HVAC systems to make it work;
- Replace equipment or HVAC system.

Refurbishment

- Making good of HVAC equipment or systems.

Upgrades

- Replacement of old technology to comply with current standards.

Repair services will be as and when required and shall be available on a twenty-four hourly basis.

Replacement and New Requirements

Covers all planned replacements and/ or new HVAC installations and works on a quotation basis. The bidder will be responsible for servicing and repairs of air conditioners walk-in freezers, extraction fans and fresh air supply as specified below:

- **Specifications attached.**

The bidder shall be responsible for the provision of all consumables and chemicals required to render an efficient service. SANBI reserves the right to approve or not approve these consumables and chemicals. The bidder must submit the specifications and Material Safety Data sheets of all consumables and chemicals upon appointment. Manufacturer instructions regarding the use of all chemicals must be strictly followed.

The Bidder must supply a list of SABS approved products, which they intend using, supported by specimen labels.

The bidder's procedures for the procurement, storage, handling, transporting, application and general use of chemicals shall comply with all applicable legislation, Codes of good practice and Provincial Authorities, including but not limited to the SABS national standards with relevance to the Air Conditioning, Refrigeration and Ventilation industry; The Hazardous Substances Act (Act No. 15 of

1973); and the Occupation Health and Safety Act (Act No. 85 of 1993).

Original OEM warranty certificate must be provided with each part / component replacement on equipment. If the same part component of the same equipment has to be replaced within the warranty period, the cost of the replacement will be for the bidder's account.

Maintenance - of various air-conditioners walk-in freezers, extraction fans and fresh air supply should be done twice a year. Maintenance implies and shall include quarterly routine preventative maintenance, corrective maintenance, as well as breakdown maintenance. Air-conditioners in the server rooms should be done quarterly.

Repairs – on various air-conditioners, walk-in freezers and extraction fan should be done as or when they occur. Costing will also be done as and when repairs to the various air-conditioners, walk-in freezers and extraction fan are required.

3. OPERATING HOURS

Regular operating hours will be Monday to Friday from 8:00 to 16:00 with the exception of:

- Essential functions and emergencies must be provided on a 24 hour/7 days per week basis including state holidays, or as maybe required
- Instances of service provision where the contractors may deem it practical to provide the services outside of the working hours
- The response time to an emergency call out shall be a maximum of 2 hours.

4. EVALUATION CRITERIA

4.1 Evaluation process

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

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

EVALUATION CRITERIA		POINTS														
Company information and profile: a) Brief overview of the company with an indication of its expertise to the scope of work. <table><tr><th>Sub-criteria</th><th>Points</th></tr><tr><td>More than nine (9) years relevant experience</td><td>20</td></tr><tr><td>Nine (9) years - more ' relevant experience</td><td>16</td></tr><tr><td>Five (5) - six(6) years' relevant experience</td><td>12</td></tr><tr><td>Four (4) – five (5) years relevant experience</td><td>8</td></tr><tr><td>Three (3) – four (4) years' relevant experience</td><td>4</td></tr><tr><td>O - 2 yeas relevant experience</td><td>0</td></tr></table>		Sub-criteria	Points	More than nine (9) years relevant experience	20	Nine (9) years - more ' relevant experience	16	Five (5) - six(6) years' relevant experience	12	Four (4) – five (5) years relevant experience	8	Three (3) – four (4) years' relevant experience	4	O - 2 yeas relevant experience	0	20
Sub-criteria	Points															
More than nine (9) years relevant experience	20															
Nine (9) years - more ' relevant experience	16															
Five (5) - six(6) years' relevant experience	12															
Four (4) – five (5) years relevant experience	8															
Three (3) – four (4) years' relevant experience	4															
O - 2 yeas relevant experience	0															
Previous experience in HVAC repairs and services: a) Provide names and contact details of the 3 traceable references for previous clients. (This should reflect name of client/project and rand value of the project). <table><tr><th>Sub-criteria</th><th>Points</th></tr><tr><td>More than five (5) relevant reference letters</td><td>20</td></tr><tr><td>Between four (4) and five (5) relevant reference</td><td>16</td></tr><tr><td>Between three (3) and five (4) relevant reference</td><td>12</td></tr><tr><td>Between (2) and three (3) relevant reference</td><td>8</td></tr><tr><td>Between (1) and three (2) relevant reference</td><td>4</td></tr><tr><td>No submission</td><td>0</td></tr></table>		Sub-criteria	Points	More than five (5) relevant reference letters	20	Between four (4) and five (5) relevant reference	16	Between three (3) and five (4) relevant reference	12	Between (2) and three (3) relevant reference	8	Between (1) and three (2) relevant reference	4	No submission	0	20
Sub-criteria	Points															
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Between (1) and three (2) relevant reference	4															
No submission	0															

Qualifications and experience of personnel: a) Level of expertise and qualifications of personnel that will be directly engaged in execution of the project. (Curriculum Vitae and qualifications) <table border="1" data-bbox="193 414 917 761"> <thead> <tr> <th>Sub-criteria</th><th>Points</th></tr> </thead> <tbody> <tr> <td>More than six (6) years' experience</td><td>20</td></tr> <tr> <td>Between four (4) and six (6) years' experience</td><td>15</td></tr> <tr> <td>Between three (3) and four (4) years' experience</td><td>10</td></tr> <tr> <td>Between one (1) and three (3) years' experience in similar work</td><td>5</td></tr> <tr> <td>Below one (1) year experience in similar work</td><td>0</td></tr> </tbody> </table> b) Qualifications of personnel that will be directly providing engaged in execution of the project. (Proposed team) (10)	Sub-criteria	Points	More than six (6) years' experience	20	Between four (4) and six (6) years' experience	15	Between three (3) and four (4) years' experience	10	Between one (1) and three (3) years' experience in similar work	5	Below one (1) year experience in similar work	0	30
Sub-criteria	Points												
More than six (6) years' experience	20												
Between four (4) and six (6) years' experience	15												
Between three (3) and four (4) years' experience	10												
Between one (1) and three (3) years' experience in similar work	5												
Below one (1) year experience in similar work	0												
Capability of the Company: a) Existing resources for carrying out the services as required (10) b) Approach and methodology (10) c) Waste management Plan (10)	30												
TOTAL	100												

Bids that fail to score a minimum of 70 out of a possible 100 points for functionality 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, 2017 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

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

5. MANDATORY REQUIREMENTS COMPLIANCE RESPONSIVENESS CRITERIA (Compliance to legislative and treasury requirements)

In this phase all responses received will be verified for compliance and completeness of the submitted proposal per the below set of mandatory requirements.

A vendor will be disqualified if they do not fully comply with all mandatory requirements. If a response to a question has been indicated as comply but not elaborated upon or substantiated it shall be regarded as mandatory non-compliance and the bidder shall be disqualified.

- Submission of fully completed SBD1 (Invitation to Bid),
- Submission of an official quotation on the company letter head

- Submission of fully completed SBD 4 (Declaration of Interest),
- Submission of fully completed SBD 6.1 (Preference Claim Certificate), accompanied by the original or certified B-BBEE Status Level Verification Certificate or original B-BBEE Sworn Affidavit.
- Submission of fully completed SBD 6.2 (Declaration of Local content and fully completed Annexures).
- Proof of registration with National Treasury Central Supplier Database (CSD).
- Letter of Good Standing (COIDA) – A valid letter of good standing certificate with COIDA is required. The certificate should be issued by the Department of Labour).
- Proof of CIDB contractor grading designation of Level 2 ME or higher
- Proof of Public Liability Insurance.
- Proof of valid registration (South African Refrigeration and Air Conditioning Contractors Association (SARACCA).

PHASE 2: TECHNICAL EVALUATION COMPLIANCE RESPONSIVENESS CRITERIA

MANDATORY REQUIREMENTS

A vendor will be disqualified if they do not fully comply with all mandatory requirements. If a response to a question has been indicated as comply but not elaborated upon or substantiated it shall be regarded as mandatory non-compliance and the bidder shall be disqualified,

- Brief overview of the company with an indication of its expertise to the scope of work.
- Three reference letters of similar service
- Registration - Service Provider compliance with professional body (Provide proof of valid registration (South African Refrigeration and Air Conditioning Contractors Association (SARACCA).

6. LABOUR

The service provider will be liable for its staff on site. The service provider is to supervise and give instructions to staff on site. The service provider will be responsible for all his/her staff's physical safety. Technicians must be customer-service focused, courteous, value and treat all employees of the client and the client's patrons with due respect. Technicians must always maintain the spirit of confidentiality of SANBI information.

6.1 SUPERVISION OF WORK

The service provider shall supervise and exercise proper control over all personnel employed by him/her and shall not hold SANBI responsible for any injury caused to the said personnel.

7. SAFETY REQUIREMENTS

In as much as the service provider will at all material times carry out the contract works for his/her/their own account as an independent service provider, the service provider shall ensure compliance, by him/her/their employees and any invitees to the site, with the relevant provisions of the Occupational Health and Safety Act No. 85 of 1993 ("the OHS Act), and Disaster Management Act 57 of 2002 ensuring the compliance to the regulations related to COVID-19 are observed at all times.

8. CONTRACT PERIOD

The contract period is for three (3) years which will be reviewed every (12) twelve months from the date of commencement. This agreement may be terminated by either party by giving a written notice of termination at least (3) three months prior to the expiry of the initial 3-year period or any further extended 12 months.

9. GENERAL INFORMATION

The Service Provider must ensure that its staff members comply with the rules, regulations, and by-laws of the site, which will be covered during the induction.

The SANBI reserves the right:

- To verify any information supplied in quotation documents.
- Not to appoint any service provider.
- To cancel or withdraw this RFQ at any time without attracting any penalties or liabilities.
- To have the final say in the appointment and this will be binding.
- To disqualify a quotation or cancel any subsequent contracts should it be found that information disclosed was factually inaccurate and/or that a misrepresentation of facts may have occurred?
- To disqualify potential service providers who may attempt to bribe or influence any person employed by SANBI during this quotation process.

All documents submitted in response to this Request for Quote (RFQ) must be written in English.

10. SUBMISSION

Closing date for submission of responses: 18 October 2022 @ 11:00am

Submission of proposals must be emailed to S.SCM-Quotations@sanbi.org.za with a copy to Ms Ripfumelo Fumani at r.fumani@sanbi.org.za

Emailed applications must not be more than 6MB in size.

For more information about the Terms of Reference, please contact Mr Wayne Peck @ W.Peck@sanbi.org.za

ANNEXURE A

Service costs:

	Year 1	Year 2	Year 3
Cost excl. VAT			
Cost incl. VAT			
TOTAL	R	R	R

Repair costs:

	Year 1	Year 2	Year 3
Cost excl. VAT			
Cost incl. VAT			
TOTAL	R	R	R

New A/C installation costs:

	Year 1	Year 2	Year 3
Cost excl. VAT			
Cost incl. VAT			
TOTAL	R	R	R

SPECIFICATIONS ANNEXURES

OFFICE	NAME	MODEL No	SERIAL NO
VC	Fresh Air Supply (Midea)	Mac – 96 HN	None
VC	Fresh Air Supply (Midea)	Mac – 96 HN	Mac – 96 HN
Sarah Office	Haier		None
Old Mutual Centre	Unknown	Unknown	Unknown
Omni Gate	Air Tech	Unknown	Unknown
Omni Gate	Air Tech	38QNL009713	0199Y00308
CBC Colophon Room	Daikin	RY200KUYI	4902046
	Daikin	RY200KUYI	4902047
Black Harrier	Daikin	RY71LUVVI	4901623
Freylinia	Daikin	RY71LUVI	490164
CBC Office no 53	Daikin	Unknown	Unknown
CBC Office no 55	Daikin	Unknown	Unknown
CBC Office no 59	Daikin in Verter	Unknown	Unknown
CBC Office no 60	Daikin in Verter	TXFXE25BMA	E003118
Manor	Samsung	AQ12UQX	None
	Samsung	AQ12UQX	None
PEARSON HOUSE			
Meeting Room 2	Samsung	AQ12UGQX	None
CEO Room (Office)	Unknown	Unknown	Unknown
Annex Office 1	Samsung	Unknown	Unknown
Annex Office 2	Samsung	Unknown	Unknown
Annex Office 3	Samsung	SH12ZWVHD	None
Annex Office 4	Samsung	UQ12AZMEA	None
Dirk	Samsung	AQ12UGQX	None
KRC			
Office C47	Kelon	None	091000256
Office C48	Luxaire	Tiaifs – AAR-L	None
Office C49	Siesta	Ary Fm V18	S/N K001909 B/N 2502902
Office C50	LG	LSU41805 DMO	None
Office C51	LG	LSUH0964DMO	None
Office C52	LG	LSUH1264DMO	None
DNA LAB			
D1	Daikin	RY100LUVI	E001481
D2 PCR Room Pux	Daikin	None	None
	Samsung	None	None
D20	Panasonic	CU-770KE	0708103279
KRC Seminar Room	Daikin N81	RY125LUYI	4902392
KRC Seminar Room	Daikin	RY125LUYI	4902880
KRC Seminar Room	Daikin	RY125LUYI	4902366
KRC Seminar Room	Daikin	RY125LUYI	4902871
Chris meeting room	Daikin	FTXE35BVMA	NONE
		RXE35BVMA	NONE
C.56	Daikin (INVERTOR)	RXE25BUMA	NONE
	Daikin (INVERTOR)	RXE25BVMA	NONE

SAM HERBARIUM			
	York by Johnson Control	YMUFGYH055BAN-BBX	294002375140400079
	York by Johnson Control	YMUFGYH055BAN-BBX	
	York by Johnson Control	YMUFGYH055BAN-BBX	29400237514040016
IT SERVER ROOM 1			
	LG	5366GQ	
IT SERVER ROOM 2			
	Panasonic		0559618944
G.I.S LAB			
	Daikin	RY60GAVIA	E005774
	Daikin	RY60GAVIA	E005771
OFFICE NO 20	Daikin (INVERTOR)	XE25BVMA	E002796
OFFICE NO 19	Daikin (INVERTOR)	XE25BVMA	E002982
OFFICE NO 18	Daikin (INVERTOR)	XE25BVMA	E002748
STORE	L.G	LSUH1264DMO	
FRANCI'S OFFICE	L.G	LS-R126CEL	
GRAIG OFFICE	L.G	LSUH1264DMO	

ADMIN BUILDING				
Ground Floor	AC-G/1	Ducted Split Unit	FBQ125C8	Daikin
Ground Floor	AC-G/2	Ducted Split Unit	FBQIOOC8	Daikin
Ground Floor	AC-G/3	Ducted Split Unit	FBQ140C8	Daikin
Ground Floor	AC-G/4	Ducted Split Unit	FBQ140C8	Daikin
Ground Floor	AC-G/5	Ducted Split Unit	FBQIOOC8	Daikin
Ground Floor	AC-G/8	Ducted Split Unit	FDQ200	Daikin
Ground Floor	AC-G/9	Ducted Split Unit	FDQ200	Daikin
Ground Floor	AC-G/10	Under Ceiling Split Unit	F H Q 140	Daikin
Ground Floor	AC-G/11	Under Ceiling Split Unit	FHQ140	Daikin
Ground Floor	AC-G/12	Midwall Split Unit	FTXS50	Daikin
Ground Floor	AC-G/13	Midwall Split Unit	FMS 50	Daikin
Ground Floor	AC-G/14	Cassette Split Unit	FCQG50F	Daikin
Ground Floor	AC-G/15	Under Ceiling Split Unit	FHQ140	Daikin
First Floor	AC_F/1	Ducted Split Unit	FBQ125C8	Daikin
First Floor	AC_F/2	Ducted Split Unit	FDQ250	Daikin
First Floor	AC_F/3	Ducted Split Unit	FBQ125C8	Daikin
First Floor	AC_F/5	Ducted Split Unit	FDQ200	Daikin
First Floor	AC_F/6	Ducted Split Unit	FBQIOOC8	Daikin
First Floor	AC-F/6/1	Ducted Split Unit	FBQ125C8	Daikin
First Floor	AC_F/7	Ducted Split Unit	FDQ200	Daikin
First Floor	AC_F/8	Cassette Split Unit	FCQG60	Daikin
First Floor	AC_F/9	Cassette Split Unit	FCQG60	Daikin
First Floor	AC_F/11	Cassette Split Unit	FCQG71	Daikin
First Floor	AC_F/11	Cassette Split Unit	FCQG71	Daikin
First Floor	AC_F/12	Cassette Split Unit	FCQG35	Daikin
First Floor	AC_F/13	Cassette Split Unit	FCQG35	Daikin
First Floor	AC_F/14	Cassette Split Unit	FCQG35	Daikin

First Floor	AC_F/15	Cassette Split Unit	FCQG60	Daikin
First Floor	AC_F/16	Cassette Split Unit	FCQG60	Daikin
First Floor	AC_F/17	Midwall Split Unit	FTXS50	Daikin
Ground Floor	Fan-Gil	Duct Mount Box Fan	ILTA4/315	AMS
Ground Floor	Fan-G/2	Duct Mount Box Fan	ILTA4/315	AMS
Ground Floor	Fan-G/3	Mixflow Duct Fan	TD2000/315	AMS
Ground Floor	Fan-G/4	Mixflow Duct Fan	TD500/150 Silent	AMS
Ground Floor	Fan-G/5	Mixflow Duct Fan	TD2000/315	AMS
Ground Floor	Fan-G/6	Mixflow Duct Fan	TD800/200	AMS
First Floor	Fan-F/1	Duct Mount Box Fan	ILTA4/315	AMS
First Floor	Fan-F/2	Mixflow Duct Fan	TD2000/315	AMS
First Floor	Fan-F/3	Mixflow Duct Fan	TD2000/315	AMS
First Floor	Fan-F/4	Mixflow Duct Fan	TD2000/315	AMS
First Floor	Fan-F/5	Mixflow Duct Fan	TD800/200	AMS
First Floor		Mixflow Duct Fan	TD500/150	AMS

OTHER BUILDINGS			
Winter Palace	Media		
Gold Fields	Samsung		
Seed Room	Panasonic		
Nursey	Ultra-Pet		
Fynbosch Cottage	Samsung		
Walk in Freezers x3	KRC	No Secs Available	
Growth Rooms x4	KRC	No Secs Available	
Walk in freezer x2	Seed Room	No Secs Available	
Fresh air supply system x2	KRC	No Secs Available	
WORKSHOP	L.G	LS-T266CEL	
OFFICE	Daikin (INVERTOR)	FAIZEL	
WORKSHOP	L.G	LS-T266CEL	
MEETING ROOM	L.G	LSUH2665DMO	
Daryl's Office	SAMSUNG		
BOARDROOM	L.G	LS-T186CEL	
DAVID'S OFFICE	Daikin	RXE25BVMA	FTXE25BVMA
RECEPTION	DAIKIN	RXE25BVMA	3903541

Consent form in terms of section 11 of the Protection of Personal Information Act No 4 of 2013 (POPIA)

In order for the South African National Biodiversity Institute (SANBI) to consider the bidder's response to the RFQ / RFP to become a service provider of the SANBI, it will be necessary for the SANBI to process certain personal information which the service provider may share with SANBI for the purpose of the RFQ / RFP, including personal information, which may include special personal information (all hereafter referred to as "Personal Information")

The SANBI will process the Service Provider's Personal Information in accordance with the SANBI Privacy Policy.

Access to your Personal Information and purpose specification

Personal Information will be processed by SANBI for purposes of assessing the service provider's submission in relation to the RFQ / RFP i.e. the purposes of assessing current services required by the SANBI. We may also share the service provider's Personal Information with third parties, both within the Republic of South Africa and in other jurisdictions, including to carry out verification, background checks and Know Your Customer obligations in terms of the Financial Intelligence Centre Act, No. 38 of 2001 ("FICA"). In this regard, the service provider acknowledges that SANBI's authorised verification agent(s) and service providers will access Personal Information and conduct background screening.

Consent

By [ticking/clicking] "Yes" and signing below, you agree and voluntarily consent to the SANBI's processing of the service provider's Personal Information for the purposes of evaluating its RFQ / RFP submission, including to confirm and verify any information provided in the submission and service provider gives SANBI permission to do so. The service provider understands that it is free to withdraw its consent on written notice to SANBI and the service provider agrees that the Personal Information may be disclosed by the SANBI to third parties, including SANBI's affiliates, service providers and associates (some of which may be located outside of the Republic of South Africa). Please note that if you withdraw your consent at any stage, we may be unable to process your RFQ / RFP.

Yes ☐

No ☐

Supplier Name

Date

Signature

Authorised representative, who warrants that he/she is duly authorised.