

**SBD1**

**PART A  
INVITATION TO BID**

|                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                          |               |                                                |                                                                    |                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------|--------------------------------------------------------------------|----------------------------------------------------------|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE)</b>                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                          |               |                                                |                                                                    |                                                          |
| BID NUMBER:                                                                                                                                                                                                                                                                                                                                              | <b>Q10559-2024</b>                                                                                                                                                                                                                                                                       | CLOSING DATE: | <b>30 May 2024</b>                             | CLOSING TIME:                                                      | <b>11:00</b>                                             |
| DESCRIPTION                                                                                                                                                                                                                                                                                                                                              | <b>THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES THE SERVICES OF A MULTI DISCIPLINARY TEAM FOR THE DESIGN REVIEW, PROCUREMENT AND CONSTRUCTION MONITORING FOR THE CONSTRUCTION OF AN IRRIGATION SYSTEM AT THE WALTER SISULU NATIONAL BOTANICAL GARDEN, GAUTENG.</b> |               |                                                |                                                                    |                                                          |
| Submission of proposals: proposals must be emailed to <a href="mailto:S.SCM-Quotations@sanbi.org.za">S.SCM-Quotations@sanbi.org.za</a> with a copy to Ms. Mogadingwane at <a href="mailto:R.modiba@sanbi.org.za">R.modiba@sanbi.org.za</a><br><b>Please state the Bid number as the reference number on the subject line when responding to the RFQ.</b> |                                                                                                                                                                                                                                                                                          |               |                                                |                                                                    |                                                          |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                          |               | <b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b> |                                                                    |                                                          |
| CONTACT PERSON                                                                                                                                                                                                                                                                                                                                           | Rorisang Mogadingwane                                                                                                                                                                                                                                                                    |               | CONTACT PERSON                                 | Tanaka Mupudzi                                                     |                                                          |
| TELEPHONE NUMBER                                                                                                                                                                                                                                                                                                                                         | 012 843 5332                                                                                                                                                                                                                                                                             |               | TELEPHONE NUMBER                               | +27 (0)12 843 5194                                                 |                                                          |
| FACSIMILE NUMBER                                                                                                                                                                                                                                                                                                                                         | N/A                                                                                                                                                                                                                                                                                      |               | FACSIMILE NUMBER                               | N/A                                                                |                                                          |
| E-MAIL ADDRESS                                                                                                                                                                                                                                                                                                                                           | <a href="mailto:R.modiba@sanbi.org.za">R.modiba@sanbi.org.za</a>                                                                                                                                                                                                                         |               | E-MAIL ADDRESS                                 | <a href="mailto:t.mupudzi@sanbi.org.za">t.mupudzi@sanbi.org.za</a> |                                                          |
| <b>SUPPLIER INFORMATION</b>                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                          |               |                                                |                                                                    |                                                          |
| 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]                                                                                                                                                                                                                                                                     |               | B-BBEE STATUS LEVEL SWORN AFFIDAVIT            |                                                                    | TICK APPLICABLE BOX]                                     |
|                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                 |               |                                                |                                                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No |

|                                                                                                                                                                                                                            |                                                                                    |                                                                          |                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                            |                                                                                    |                                                                          |                                                                                                       |
| <b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>                                                      |                                                                                    |                                                                          |                                                                                                       |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?                                                                                                                              | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES ENCLOSE PROOF] | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES, ANSWER THE QUESTIONNAIRE BELOW ] |
| <b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>                                                                                                                                                                          |                                                                                    |                                                                          |                                                                                                       |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?                                                                                                                                                            |                                                                                    | <input type="checkbox"/> YES <input type="checkbox"/> NO                 |                                                                                                       |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA?                                                                                                                                                                                  |                                                                                    | <input type="checkbox"/> YES <input type="checkbox"/> NO                 |                                                                                                       |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?                                                                                                                                                                 |                                                                                    | <input type="checkbox"/> YES <input type="checkbox"/> NO                 |                                                                                                       |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?                                                                                                                                                                      |                                                                                    | <input type="checkbox"/> YES <input type="checkbox"/> NO                 |                                                                                                       |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?                                                                                                                                                                  |                                                                                    | <input type="checkbox"/> YES <input type="checkbox"/> NO                 |                                                                                                       |
| <b>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.</b> |                                                                                    |                                                                          |                                                                                                       |

## PART B

### TERMS AND CONDITIONS FOR BIDDING

|                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. BID SUBMISSION:</b>                                                                                                                                                                                                                      |
| 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.                                                                                                                   |
| 1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>                                                                                                    |
| 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. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>                                                                                                                                         |
| <b>2. TAX COMPLIANCE REQUIREMENTS</b>                                                                                                                                                                                                          |
| 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: .....

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

**SBD 4**

**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 interest<sup>1</sup> 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 institution | State |
|-----------|-----------------|---------------------|-------|
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |

<sup>1</sup> 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.

|  |  |  |
|--|--|--|
|  |  |  |
|  |  |  |
|  |  |  |

2.2 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:

.....  
 .....

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 consortium<sup>2</sup> 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

<sup>2</sup> 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.

- 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 COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM 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 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

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**1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state**

- a) The applicable preference point system for this tender is the **80/20** preference point system.
- b) The **80/20 preference point system** will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- a) Price; and
- b) Specific Goals.

#### 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

|                                           | POINTS |
|-------------------------------------------|--------|
| PRICE                                     | 80     |
| SPECIFIC GOALS                            | 20     |
| Total points for Price and SPECIFIC GOALS | 100    |

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

### 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

#### 3.1. POINTS AWARDED FOR PRICE

##### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc} \text{80/20} & \text{or} & \text{90/10} \\ P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right) & \text{or} & P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right) \end{array}$$

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{min}$  = Price of lowest acceptable tender

#### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

##### 3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \text{80/20} & \text{or} & \text{90/10} \\ P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) & \text{or} & P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) \end{array}$$

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{max}$  = Price of highest acceptable tender

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)***

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)***

| The specific goals allocated points in terms of this tender                                     | Number of points allocated (80/20 system)<br>(To be completed by the organ of state) | Number of points claimed (80/20 system)<br>(To be completed by the tenderer) |
|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Categories of persons historically disadvantaged by unfair discrimination on the basis of race. | 10                                                                                   |                                                                              |

|                                                                                                                                                                                                                                                                             |           |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--|
| 100% black ownership<br>(Points will be allocated based on the percentage of ownership per goal. Information will be verified on CSD. CSD must be attached as proof)                                                                                                        |           |  |
| Categories of persons historically disadvantaged by unfair discrimination on the basis of gender.<br>100 % female ownership<br>(Points will be allocated based on the percentage of ownership per goal. Information will be verified on CSD. CSD must be attached as proof) | 10        |  |
| <b>TOTAL</b>                                                                                                                                                                                                                                                                | <b>20</b> |  |

#### DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name \_\_\_\_\_ of  
 company/firm.....

4.4. Company \_\_\_\_\_ registration \_\_\_\_\_ number:  
 .....

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

- 4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
  - iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
    - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

.....

## **REQUEST FOR QUOTATION TERMS OF REFERENCE**

**THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES THE SERVICES OF A MULTI DISCIPLINARY TEAM FOR THE DESIGN REVIEW, PROCUREMENT AND CONSTRUCTION MONITORING FOR THE CONSTRUCTION OF AN IRRIGATION SYSTEM AT THE WALTER SISULU NATIONAL BOTANICAL GARDEN, GAUTENG**

### **1. Background and Discussion**

The Department of Environment, Forestry & Fisheries has allocated funds over the 2019/20 to 2024/25 Medium Term Expenditure Framework (MTEF) towards a national infrastructure programme at the various campuses and sites of the South African National Biodiversity Institute (SANBI). The programme includes infrastructural maintenance, refurbishments, upgrades, replacements and/or new infrastructure at all sites. Projects have been identified for implementation over the MTEF at each of the SANBI's existing campuses and sites across the country.

The various infrastructure at the Walter Sisulu National Botanical Garden (WSNBG) has received grants from DFFE because the current infrastructure in the garden has deteriorated due to a lack of annual maintenance and do not meet the infrastructure demands of the garden to operate efficiently. The WSNBG requires to extend its network of irrigation system hence a professional service provider needs to be appointed to conduct a design review of the existing designs, procurement of a contractor and management of the construction of the new irrigation infrastructure.

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.

### **2. Invitation to Quote**

Quotations are invited for a multi-disciplinary team for the design review, procurement and construction monitoring for the construction of an irrigation system at the Walter Sisulu National Botanical Garden, Gauteng.

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

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

The tender process is considered an open tender.

### **3. Scope of Work**

The purpose of this tender is to procure a multi-disciplinary team for the design review, procurement and construction monitoring for the construction of an irrigation system at the Walter Sisulu National Botanical Garden, Gauteng.

The scope of work of the professional service provider (PSP) consists of works from stage 3 to stage 6 which includes:

- The design review of the proposed irrigation system (designs and BoQ available).
- Conduct screening studies to determine the envisaged scope of the project and identify any constraints and triggers in terms of relevant legislation
- Determine whether the proposed activities of the development project require any authorizations or specialist studies in terms of environmental legislation.
- Prepare and submit all specialist reports and authorizations required in terms of the environmental legislation.
- Environmental legislation includes but is not limited to the following:
  - National Environmental Management Act (NEMA).
  - National Environmental Management Waste Act (NEMWA).
  - National Water Act (NWA).
  - National Heritage Resources Act.
  - National Environmental Management: Protected Areas Act.
  - National Environmental Management: Biodiversity Act.
  - National Forests Act
- The construction monitoring for the installation irrigation system.
- The design of the new irrigation system to comply with applicable national standards and regulations and provide a design review report for review and approval by the employer.
- Prepare tender documentation for sourcing services of a contractor to execute the works. Tender documentation shall include drawings, a detailed bill of quantities with cost estimates, and construction and project specifications.

- Assist SANBI in the selection process of the contractor by participating in Bid Specification Committee (BSC) and Bid Adjudication Committee (BAC) meetings, when required.
- Manage, administer and monitor the works and processes including preparation and coordination of quality control procedures and documentation to facilitate successful completion of the works, in accordance with applicable construction standards and regulatory requirements. Administration of all aspects of the project shall include but are not limited to:
  - Site handover to contractor
  - Weekly site meetings with minutes
  - Issuing of site instructions
  - Sign-off of quantities and progress payments
  - Issuing of completion certificates
  - Prepare project close-out documentation including as-built drawings, and close-out report

The broad scope of services required shall be in accordance with the relevant Board Notices providing the guideline scope of services and tariff fees for persons registered in terms of the Engineering Professional Act (Act No. 46 of 2000) and others where applicable. If there is any conflict between the specific requirements and the relevant guideline scope of services document referred to above, the specific requirements shall take precedence.

#### **4. Extent of Services**

The services to be provided in terms of this project are inextricably linked to the employer's three-year 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 CIDB 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.

## 5. Key Personnel

The service provider shall maintain the involvement of the key personnel as per the requirements of this contract. Should it become necessary to replace any of the key personnel listed at the time of tender during the course of this contract, they may only be replaced by individuals with similar or better qualifications and experience, who satisfy the minimum requirements and then only with the approval of the employer.

The involvement of the roles listed below are not guaranteed and will be dependent on the scope of works and discretion of SANBI.

| Key Personnel            | Minimum Requirements                                     |
|--------------------------|----------------------------------------------------------|
| Civil Engineer           | Pr. Eng with 5 years relevant experience                 |
| Quantity Surveyor        | Pr. QS with 5 years relevant experience                  |
| Environmental Specialist | Registered professional with 5 years relevant experience |
| Health and Safety Agent  | Registered OHS agent with 5 years' relevant experience   |

## 6. Pricing Information

The appointment will be based on a lump sum fee, as set out in the professional fee guidelines issued in terms of the Engineering Profession Act 46 of 2000 and Construction Health & Safety Professionals in terms of the Project & Construction Management Professions Act, 2000 (Act No. 48 of 2000) as well as any other relevant professional fee guidelines that may be applicable.

Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases, including all expenses (travel expenses, accommodation, subsistence, printing etc.), inclusive of all applicable taxes (value-added tax, pay as you earn, income tax, unemployment insurance fund contributions, skills development levies etc.) for the project. The contract amount / appointment value will be capped at the bid amount. The appointed PSP will be required to manage their time and costs within the allotted budget.

An allocation for design review changes should already be included in the final fee charged. The appointed service provider will be required to manage their time and costs within the allocated budget.

**The allocated budget for the construction costs for the project is R3,700 000.00 (VAT incl) excluding professional fees.**

## **7. Reporting and Management**

- While the consultant will be working with a number of SANBI staff, final accountability rests with the SANBI project manager.
- Payment on approval of deliverables by the SANBI project manager.
- All reports must be in Microsoft Word and/or Excel.
- An electronic version of all reports must be submitted.

## **8. Compulsory Briefing Session**

No briefing session or site inspection will be held.

Bidders are encouraged to direct all technical and bidding procedure enquiries to the email address below. Responses will be communicated via email to all eligible bidders who were invited to tender.

Technical enquiries: [t.mupudzi@sanbi.org.za](mailto:t.mupudzi@sanbi.org.za)

Bidding procedure enquiries: [S.SCM-Quotations@sanbi.org.za](mailto:S.SCM-Quotations@sanbi.org.za) and [R.modiba@sanbi.org.za](mailto:R.modiba@sanbi.org.za)

Cut-off date for enquiries: **29 May 2024** at 12:00

## **9. Nature of appointment and contractual arrangement**

Appointment:

- Contract duration: 18 months

Contract and payment:

- The contract will be drawn up between SANBI and the service provider.
- Invoices will be paid for 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 the SANBI project manager.

## **10. General Safety, Health and Environmental (SHE) Requirements**

All service providers entering into a contract with SANBI shall, as a minimum, comply with the following requirements:

- The Occupational Health & Safety Act (OHSA) (Act 85 of 1993) and its Regulations.
- The service provider's staff may be expected to attend induction training before commencing any work so that they become familiar with the part of the garden they are stationed in and the evacuation procedures.
- The Compensation for Occupational Injuries & Diseases Act (Act 130 of 1996).
- The National Environmental Management Act (Act No. 107 of 1998).
- The National Environmental Management: Waste Act (Act 59 of 2008).
- The South African National Biodiversity Institute Health and Safety specification and relevant policies.

## **11. Information to be provided by SANBI to the successful service provider**

The reports, drawings and bill of quantities that were prepared by the previous PSP will be provided to the successful bidder.

## **12. Potential service providers are required to submit the following Administrative documentation:**

- SBD forms (SBD 1, 4 and 6.1). The Standard Bidding Forms (included in the bid documentation) must be completed and submitted with this proposal.
- The specific goals allocated in terms of this RFQ are as follows:

- Categories of persons historically disadvantaged by unfair discrimination on the basis of race. Information will be verified on CSD report. Points will be allocated based on the percentage of ownership per goal. 100% black ownership = 10 points.
- Categories of persons historically disadvantaged by unfair discrimination on the basis of gender. Information will be verified on CSD report. Points will be allocated based on the percentage of ownership per goal. 100% female ownership = 10 points
- A current copy of the Central Suppliers Database (CSD) registration report or registration number must be provided.

**13. Potential service providers are required to submit the following Mandatory documentation, Failure to do so will lead to disqualification.**

- 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.
- Proof of Public Liability Insurance or Letter to intend.
- Fraud and Corruption:
  - Any effort by a Bidder to influence the bid evaluation, bid comparisons or bid award decisions in any matter, may result in rejection of the bid concerned. SANBI shall reject a submission if the Bidder has committed a proven corrupt or fraudulent act, or any other improper conduct in bidding for any other work.
  - SANBI may disregard any submission if that Bidder, or any of its directors
    - have abused the Supply Chain Management (SCM) system of any Government Department/ institution; have committed proven fraud, corruption or any other improper conduct in relation to such system; have failed to perform on any previous contract and the proof thereof exists; and/or
    - is restricted from doing business with the public sector if such a bidder obtained preferences fraudulently or if such bidder failed to perform on a contract based on the specific goals.
- Details, qualifications, professional registration and relevant experience of all team members are to be submitted.

**14. Closing date for quotations**

The closing date for submission of responses is **30 May 2024 at 11:00.**

Submissions should be e-mailed 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)

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