



agriculture, land reform & rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA



PROVINCIAL SHARED SERVICE CENTRE: MPUMALANGA

Private Bag X11305, Nelspruit, 1200; Tel: 013 754 8000 Web: www.dalrrd.gov.za

SUPPLY CHAIN MANAGEMENT Request for Quotation(s) (RFQ)/ Proposals

REQUEST FOR QUOTATION.

Dear Sir or Madam

You are hereby invited to submit a quotation for the supply and delivery of the following goods/assets/ service to the Department of Agriculture, Land Reform and Rural Development (DALRRD).

Item #	Description	Qty
24/25/95	Appointment of Service Provider for the Review of Municipal Spatial Development Framework within a period of Eight (8) months, Chief Albert Luthuli Local Municipality, Mpumalanga Province.	See the attached specification

Closing Date: 10 October 2024

Closing Time: 11:00am

Please submit your quotation on your company official letter head and clearly indicate your Lead Time, Validity Period of your quotation and the total amount including vat.

The quotation must be emailed to BonakeleM@dalrrd.gov.za on or before the closing date and time. All documentation/ certificates indicated on specification; Tax status Pin, certified copy of owner's ID, Company registration documents, SBD Forms and CSD report must be attached and are compulsory. Please attach your quotation separately

As per department specific goal tender who wish to claim point in terms of table 4.2 on (SBD. 6.1) provide prove for each points.

- HDI
- Who is female- attach certified copy of identity document (ID) and company registration document / CSD report to show/ substantiate percentage ownership equity.
- Who has a disability – attach doctor's letter confirming the disability?
- Who is youth - attach certified copy of identity document (ID) and company registration document / CSD report to show/ substantiate percentage ownership equity

TERMS AND CONDITIONS : If the Supplier fails to deliver any or all goods or to perform services within the specified period in the Order/Contract, the purchaser may as a penalty deduct from the Order/Contract price a sum of the delayed goods or unperformed services, or terminate the contract in part or in whole.

Yours faithfully

Ms. Bonakele Mapiyeye
For: Demand and Acquisition Management
Date: 26 September 2024
013 754 8062



Mpumalanga Provincial Shared Services Centre
Directorate: Financial and Supply Chain Management Services
Private Bag X11305, NELSPRUIT, 1200, 17 van Rensburg Street, Nelspruit, 1200;

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1. INTRODUCTION

1.1 The Department of Agriculture, Land Reform and Rural Development (DALRRD) under the Branch Spatial Planning and Land Use Management (SPLUM) needs to appoint a service provider(s) to review the Spatial Development Framework (SDF) for the Chief Albert Luthuli Local Municipality which is located within Mpumalanga Province.

1.2 The Department of Agriculture, Land Reform and Rural Development (DALRRD) seeks to appoint a suitably qualified and experienced service provider(s), primarily Town/Urban/City and Regional Planners complimented by a team of other experts (outlined in section 8) for a period of eight (8) months to render professional services in reviewing the Spatial Development Framework (SDF) for Chief Albert Luthuli Local Municipality .

2. PROBLEM STATEMENT

2.1 The Chief Albert Luthuli Local Municipality 's SDF was developed in 2017 with the 5-year cycle linked to the Integrated Development Plan (IDP). Section 20(2) of the Spatial Planning and Land Use Management Act, Act No. of 16 2013



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(hereinafter referred to as SPLUMA) requires SDF's to be prepared every five years to reflect the development and policy changes, opportunities and challenges in alignment with the Municipal IDP cycle. It is for this reason that the municipality has requested the DALRRD to assist in reviewing their SDF in the year 2024/2025 Financial Year.

- 2.2 The aim of the SDF will be to address challenges of spatial disparities, uneven economic development, uncoordinated development, threats of climate change and environmental degradation and as well as support the un-locking of socio-economic potential lagging in the municipality developed in line with the provisions/principles of SPLUMA.

3. BACKGROUND

- 3.1 Section 12 of SPLUMA, requires all spheres of government (National, Provincial and Local) to develop Spatial Development Frameworks (SDFs). Section 20 of SPLUMA, 2013 read together with Section 26 of the Municipal Systems Act (32 of 2000) requires that the Municipal Council after consultation with relevant stakeholders must prepare and adopt the Spatial Development Frameworks (SDF) as a core component of their Integrated Development Plans (IDP).

- 3.2 Chief Albert Luthuli Local Municipality as one of the 7 Local Municipalities of the Gert Sibande District Municipality and lies in the northern part of the district. The Municipality is bordered by the City of Mbombela and Emakhazeni Local Municipalities of the Ehlanzeni District Municipality to the north and the Steve Tshwete Local Municipality of the Nkangala District Municipality to the west. Eswatini (formerly Swaziland) borders the Municipality to the east.

- 3.3 From a local context it can be seen that the main town of the Chief Albert Luthuli



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LM is Carolina with the smaller centres of Elukwatini and eManzana (formerly known as Badplaas). The N17 bisects the south-eastern part of the Municipality and majority of the rural settlements are situated in the eastern parts of the Municipality, with access to the N17 which connects the Chief Albert Luthuli LM to Swaziland.

4. LEGISLATIVE FRAMEWORK

4.1 SPLUMA

4.1.1 SPLUMA is a legislation that gives a framework for all spatial planning and land use management in South Africa. It seeks to promote consistency and uniformity in procedures and decision-making pertaining to issues spatial planning and land use management. Other objectives include; addressing historical spatial imbalances and the integration of the principles of sustainable development into land use and planning regulatory tools and legislative instruments.

4.1.2 SPLUMA requires national, provincial, and municipal spheres of government to prepare SDFs that establish a clear vision that must be developed through a thorough inventory and analysis based on national spatial planning principles and local long-term development goals and plans.

4.1.3 SDFs are thus mandatory at all three spheres of government. Section 12(2) of SPLUMA confirms that all three spheres must participate in each other's processes of spatial planning and land use management and each sphere must be guided by its own SDF when taking decisions relating to land use and development.



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- 4.1.4 Chapter 4 Part A of SPLUMA sets out the focus and general requirements that must guide the preparation and compilation of SDF products at the various scales. Section 20 and 21 gives a clear requirement for the development of municipal spatial development frameworks.
- 4.1.5 A Spatial Development Framework adopted in terms of this Act must guide and inform the exercise of any discretion or of any decision taken in terms of this Act or any other law relating to land use and development of land by that sphere of government.
- 4.1.6 In the preparation of the SDF, Section 21 of SPLUMA states amongst others that a Municipal Spatial Development Framework must:
- give effect to the development principles and applicable norms and standards set out in Chapter 2;
 - (a) Include a written and spatial representation of a five-year spatial development plan for the spatial form of the municipality.
 - (b) Include a longer-term spatial development vision statement for the municipal area which indicates a desired spatial growth and development pattern for the next 10 to 20 years;
 - (c) Identify current and future significant structuring and restructuring elements of the spatial form of the municipality, including development corridors, activity spines and economic nodes where public and private investment will be prioritised and facilitated;
 - (d) Include population growth estimates for the next five years;
 - (e) Include estimates of the demand for housing units across different socio-economic categories and the planned location and density of future housing developments;



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- (f) Include estimates of economic activity and employment trends and locations in the municipal area for the next five years;
- (g) Identify, quantify and provide location requirements of engineering infrastructure and services provision for existing and future development needs for the next five years;
- (h) Identify the designated areas where national or provincial inclusionary housing policy may be applicable;
- (i) Include a strategic assessment of the environmental pressures and opportunities within the municipal area, including the spatial location of environmental sensitivities, high potential agricultural land and coastal access strips, where applicable;
- (j) Identify the designation of areas in the municipality where incremental upgrading approaches to development and regulation will be applicable;
- (k) Identify the designation of areas in which:
 - i) More detailed local plans must be developed
 - ii) Shortened land use development procedures may be applicable and land use schemes may be so amended;
- (l) Provide the spatial expression of the coordination, alignment and integration of sectoral policies of all municipal departments;
- (m) Determine a capital expenditure framework for the municipality's development programmes, depicted spatially;
- (n) Determine the purpose, desired impact and structure of the land use management scheme to apply in that municipal area; and
- (o) Include an implementation plan, comprising of:
 - (p) Sectoral requirements, including budgets and resources for implementation;
 - (q) Necessary amendments to a land use scheme;
- (r) Specification of institutional arrangements necessary for implementation;



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- (s) Specification of implementation targets, including dates and monitoring indicators; and
- (t) Specification, where necessary, of any arrangements for partnerships in the implementation process.

4.2 The Municipal Systems Act

The Local Government Municipal Systems Act (MSA), 32 of 2000, first introduced the concept of the Municipal Spatial Development Framework (MSDF) as a component of the mandatory Integrated Development Plan (IDP) that every municipality must adopt.

The provisions of the MSA that deal with MSDFs have to be read closely with the relevant provisions, especially Part E, of SPLUMA. While the MSA establishes the core features of the MSDF, SPLUMA adds detailed provisions.

4.2.1 Two elements of the MSA's treatment of MSDFs should be noted:

- i) Chapter 5 of the Act deals with integrated development planning and provides the legislative framework for the compilation and adoption of IDPs by municipalities. Within the same chapter, section 26 (e), specifically requires an SDF as a mandatory component of the municipal IDP. The rest of the chapter's provisions on IDPs thus apply to SDFs as well.
- ii) In 2001, the Minister for Provincial and Local Government issued the Local Government: Municipal Planning and Performance Management Regulations. Within these regulations, Regulation 2 (4), prescribes the minimum requirements for a municipal SDF.



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4.3 The Chief Albert Luthuli By-Law on Spatial Planning and Land Use Management By-law, 2016

Chapter 2 of the Chief Albert Luthuli By-law on Spatial Planning and Land Use Management makes provisions for the development and review of Municipal Spatial Development Frameworks. The Municipality must draft a municipal spatial development framework in accordance with the provisions of sections 20 and 21 of the Act read with sections 23 to 35 of the Municipal Systems Act.

The provisions of this Chapter 2 of the by-law apply, with the necessary change, to the review or amendment of a municipal spatial development framework and includes amongst others the following:

- Contents of municipal spatial development framework
- Requirements for intention to prepare, amend or review municipal spatial development framework
- Institutional framework for preparation, amendment or review of municipal spatial development framework
- Requirements for preparation, amendment or review of municipal spatial development framework
- Public participation

5. OBJECTIVE

The key objective of the project is to appoint a service provider to review the Spatial Development Framework for Chief Albert Luthuli Local Municipality within a period of eight (8) months that should:-

- ◆ Provide a clear and comprehensive Spatial Development Framework for the



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municipality;

- ◆ Inform, improve and guide cross-sectoral policy or project implementation and integration;
- ◆ Provide a strategic spatial development vision for the municipality in line with the broad development objectives of the National and Provincial policies;
- ◆ Indicate in as much detail as possible to members of the public and others with an interest in the municipality, the desired spatial form for the municipality;
- ◆ Indicate planning, environment, infrastructure and institutional issues that gave rise to the proposals contained in the final document and provides all stakeholders an opportunity to participate during the process of formulating the SDF;
- ◆ To provide a spatial reflection of the needs and priorities established in the integrated development plan and identify specific issues which are unique to the municipalities;
- ◆ To address rural development issues such as the integration with urban areas, the provision of social and economic amenities, the provision of infrastructure and involvement during the public participation process;
- ◆ To provide long-term strategic mechanisms on:-
 - Identifying areas for economic opportunities, particularly for industrial, commercial and agriculture.
 - To identify infrastructure needs and services constraints and bring forward tangible solutions to address these constraints.
 - Accommodate the growing housing needs considering the need for development of various housing typologies and programmes (e.g. "Gap Housing", social housing, FLISP, etc.)



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- Protection of natural environment e.g. Conservation Corridors, Green Wedges, hydrological resources, biodiversity areas, etc.

6. SCOPE OF WORK

6.1 The successful service provider(s) would be expected to undertake the following towards the development of the SDF:-

- (a) As part of the background, include a short paragraph to indicate the justification/reasons for the review of the 2017 SDF (e.g. new planning policy/legislation, 2022 Census, new development trends etc.)
- (b) Conduct a status quo analysis which will entail but not limited to sectoral and spatial analysis, policy analysis and gap analysis of the 2017 Chief Albert SDF.
- (c) Draft a Spatial Vision for the SDF, in line with the Municipal Integrated Development Plan. The Spatial Vision will be subject to consultation with the municipality and various stakeholders
- (d) Develop spatial challenges, options and proposals for the municipality taking into cognizance the local circumstance, local policies, local economic challenges and development, provincial and national policies and strategies. The options must also consider government priority programs from all relevant spheres of government, such as the 9-Point Plan, Strategic Infrastructure Projects, One Plan etc. The envisaged outcome of this exercise is the development of Spatial Options that will inform the SDF and also highlight and identify visible changes, trends, and their opportunities, conflicts and tensions and how they can be addressed.
- (e) Compile a Capital Expenditure Framework that is aligned to the proposals contained in the SDF. Develop more detailed spatial proposals for the towns/settlements and traditional council areas.
- (f) The SDF must also include an Implementation Plan with timelines and a



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detailed Capital Investment Framework that identifies the responsibilities for its implementation both within and outside the municipality. This chapter must indicate/determine the level (%) of implementation of the 2017 SDF.

- (g) The service provider shall comply with all the requirements of Sections 20 and 21 of SPLUMA and Chapter 2 of the Spatial Planning and Land Use Management By-law and furnish the municipality with all the documents referred to in these sections.
- (h) The service provider shall comply with Chapter 2 of the Chief Albert Luthuli By Law on Spatial Planning and Land Use Management 2016.
- (i) The service provide shall review and compile the SDF in accordance with the 2017 Guidelines for the Development of Provincial, Regional and Municipal Spatial Development Frameworks and Precinct Plans.
- (j) Develop a stakeholder engagement plan for the various consultation processes with various stakeholders, including government, private sector, traditional councils and any other stakeholders throughout the lifespan of the project. The service provider should cater for additional unplanned meetings that may be required for the duration of the project.

7. DELIVERABLES

7.1 The appointed service provider(s) will be required to deliver the following to the DALRRD and the Chief Albert Luthuli Local Municipality :-

- (a) Project Inception Report, including a Project Plan and Stakeholder Engagement Plan;
- (b) Progress reports to report on progress on milestones as per the Project Plan;
- (c) Spatial Development Framework with spatial challenges and opportunities, spatial vision, spatial proposals and options report with related mapping submitted in digital format and a full colour hard copy.



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- (d) Capital Expenditure Framework and Implementation Plan (Graphically Illustrated) for approval by council.
- (e) Executive Summary Document and a public participation/stakeholder engagement report where all engagements are recorded;
- (f) SDF textual document including all maps, tables and figures in both hardcopy (printed) and softcopy (electronic as MS word document) image files as (e.g. JPEG, windows Bitmap, GIF, etc.);
- (g) A0 SDF Maps x 2;
- (h) GIS information (spatial information collected and derived should be submitted in GIS capable file format i.e. shapefiles, geo-database, layer file, data package, MXD files and must include metadata records captured in line with the South Africa National Standard (SANS -1878). Spatial information captured must be in line with Regulation 5(2) of the Spatial Data Infrastructure Act, 2003
- (i) A Project Closure Report

7.2 Submissions of reports should be in the form of both hard and electronic versions. Ownership of documentation collected from this assignment vest in DALRRD and the municipality. The DALRRD and the municipality will become the custodian of documentation submitted. The service provider will be responsible for the layout design and editing of the publication in line with the municipal corporate identity. The project manager must sign off the final document before printing. The proposed specification for the Final SDF can be seen below: -



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Booklet Size	A4
Cover Page	250 gsm Hi-Q Titan double coated gloss
Text Printed	113 gsm Hi-Q Titan double coated gloss
Colour	Full Colour
Binding	PUR binding
Volume	10 copies
An open file and a print ready artwork of the final Draft SDF and implementation plan is to be submitted on USB along with the all map mxd and Geo-database (shapefiles)	X10

7.3 The GIS data must further meet the following requirements: -

- ◆ All maps should be in A4 size in the document;
- ◆ Maps must be numbered and listed in the page of contents;
- ◆ All the text in the maps and the legends must be legible;
- ◆ The same map template/ layout must be used throughout the document;
- ◆ All maps should have the basic map elements, namely: a title, north arrow, legend, scale bar;
- ◆ All the features on the map must be explained in the legend;
- ◆ All mapping must be developed at an appropriate and readable scale;
- ◆ All maps must also be available in Power point Presentation format as well as the corresponding Map Document (MXD) with all spatial information in shapefiles or a geodatabase ready to be accessed in ArcGIS;
- ◆ The final SDF Map should be printed on an AO size and
- ◆ All maps must be included in the draft SDF document.



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8. SKILLS REQUIRED

8.1 Companies with individuals with qualifications and extensive experience will be required as detailed in Table 1 and in section 8.3 and 17 respectively.

Table 1: MINIMUM QUALIFICATIONS REQUIRED BY THE DALRRD

No.	Minimum Qualification	Key Skill Set	Registration Requirements
1.	Valid Proof of Professional Registration with SACPLAN	<ul style="list-style-type: none"> • Spatial Planning • Land use management • Urban Design • Report writing 	Registration with SACPLAN as Professional Planner
2.	Relevant Qualification related to Geographic Information Systems	<ul style="list-style-type: none"> • Mapping • Spatial analysis • Data modelling 	Registration with SAGC (South African Geomatics Council) as a GIS Practitioner / Professional
3.	B Degree in Economics with specialisation in Urban/ Development Economic	<ul style="list-style-type: none"> • Development Economics • Urban Economics 	

8.2 Please note that above is a minimum set of skills required, the company/consortium is welcome to add more skills as deemed necessary to undertake the work.

8.3 A qualified and skilled Town and Regional Planner with project management background will also be required to manage the different specialists and coordinate the work being undertaken.

8.4 Proven experience and thorough understanding in the following is also required:-

- (a) Spatial, social economic and infrastructure development policies and legislation;



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- (b) Urban and rural development and land reform;
- (c) Previous experience in the development of a spatial development framework either at municipal or provincial levels;
- (d) Previous experience with policy and/ or planning work at a National Level;
- (e) Strategic capability and understanding of strategic planning process;
- (f) Understanding of the interrelationship amongst the following:
social, economic, land use, transport and environmental issues;
- (g) Stakeholder and Project Management;
- (h) Facilitation and negotiation skills;
- (i) Research, analytical writing and communication skills.

9. PROJECT DURATION AND MILESTONES

- 9.1 The project will commence after the letter of appointment has been issued and Service Level Agreement has been signed which will expire in eight (8) months thereafter and is subject to addition, extension or early termination, depending on the need and performance assessment of the service provider.
- 9.2 The DALRRD reserve full rights to implement the above-mentioned clause.
- 9.3 The target dates for each milestone (as well as the associated deliverable) and the amount of financial compensation for the work done is detailed in Table 3 below.



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Table 3: PROJECT PHASES

PHASES	% PAYABLE	TIMEFRAMES	DELEVIRABLE
Phase 1: Inception report	5%	2 weeks	Final inception report
			Stakeholder Engagement Plan
Phase 2: Data Collection and Research	20%	1 month & 2 weeks	Status Quo and Spatial Analysis Report.
Phase 3: Draft SDF and Supporting Documents	30%	2 months	Draft SDF Report
Phase 4: Consultation and Amendments	25%	3 months	Consultation Report and Revised Draft Report
Phase 5: Final SDF and Implementation Framework	15%	1 month	Final SDF and Implementation Framework for Council Adoption
Close-out report and Retention	5%		Copies of the Final SDF with proof of submission of the final SDF for approval by Chief Albert
Total	100%	8 months	

9.4 A 5% retention will be paid once final project documentation has been approved and adopted by the relevant stakeholders.

9.5 Monthly reports (per phase) will be forwarded by the service provider to the designated project manager. The service provider will be required to report via a written and electronic report. It is expected that stakeholder engagement is a continuous process within all stages of the project, and it is to be



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reported as an item in monthly reports (per phase). A final comprehensive report is also expected to be submitted as a deliverable in phase 6.

- 9.6 The service provider shall forfeit the total payment per milestone in the case of the project being delayed for longer than 30 days after milestone due date.
- 9.7 The service provider may apply to the DALRRD for an extension on the delivery date on any milestone – provided that the service provider gives valid reason(s) to the sole satisfaction of the DALRRD.

10. UNDUE DELAY REMEDIES

- 10.1 Should it be found that the delay of the project in terms of the agreed time period is unreasonable then for every 5 (five) days or other stipulated time frame there shall be a penalty in terms of percentages which will be deducted from the payment as indicated below:

Table 4: UNDUE DELAY PENALTIES

Milestone	% Payable	5 Days Overdue	10 Days Overdue	15 Days Overdue	30 Days Overdue	More than 30 days
Phase 1:	5%	20%	40%	60%	80%	100%
Phase 2:	20%	20%	40%	60%	80%	100%
Phase 3:	30%	20%	40%	60%	80%	100%
Phase 4:	25%	20%	40%	60%	80%	100%
Phase 5:	15%	20%	40%	60%	80%	100%
Retention	5%					
Total	100%					



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11. EXTRA WORK

11.1 Any costs for extra work by the service provider, incurred over and above this bid which, in the sole opinion of the Director: Spatial Planning and Land Use Management is due to reasons attributable to the service provider during any phase of the project shall be borne by the service provider.

12. CONTENTS OF THE PROJECT PROPOSAL

12.1 The service provider will be expected to provide a clear and concise project proposal covering the aspects listed below as well as responding to the terms of reference.

11.1 An executive summary of the key issues covered in the Proposal.

11.2 A company profile and profile of each employee forming part of Project Team with clear references to similar and related work undertaken in the past with clear evidence where a person/member participated in or managed certain projects in the past which bears relevance to the work at hand. Clear indication of actual roles and responsibilities must be presented with verifiable proof.

12.3. General methodology for undertaking work of this nature. The methodology should also indicate the project milestones that will be used to measure the project progress, as well as the cost break down

12.4. Certified copies of all certificates, references, professional registration and related certification for all members of the proposed team must be attached.

12.6. Any other information relevant to the determination of the suitability of the interested bidder for this project should be listed.



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- 12.7 All-inclusive costing model and a project plan.
- 12.8 The following technical information must be submitted with the bid proposal:
- a) Organogram outlining the project team members with a clear indication of the project leader and support team
 - b) Relevant professional experience of the team leader and core supporting experts;
 - c) Organisational, managerial and technical ability;
 - d) Full CV's of all proposed team members;
 - e) Minimum 3 contactable current and previous client references for 3 different clients;
 - f) Associations and Professional Affiliations of companies and individuals;

13. INFORMATION GATHERING

- 13.1 The selected service provider will be expected to make contact with all the relevant officials and units within all spheres of government and other stakeholders of government or any relevant stakeholder or entity holding information relevant to the project to obtain relevant information that will be required for the project when a need arises.
- 13.2 Existing information which is available within the DALRRD Branch: Spatial Planning and Land Use Management, the Chief Albert Luthuli Local Municipality will be made available to the appointed service provider during the execution of the project.
- 13.3 In the case where a letter to confirm and motivate for requesting information from the different spheres of government or parastatals is required, DALRRD will provide the requested letter.



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13.4 Notwithstanding anything written in these terms of reference, the responsibility for collecting and obtaining information necessary for the successful execution of the project remains entirely with the service provider.

14. TERMS AND CONDITIONS OF THE BID

14.1 Awarding of the bid will be subject to the Service Provider's express acceptance of the DALRRD Supply Chain Management general contract conditions.

14.2 The DALRRD and successful Service Provider(s) will sign a Service Level Agreement upon appointment. Such a Service Level Agreement will include the following:

- ◆ Period of agreement;
- ◆ Project objectives, milestones and scope;
- ◆ Staffing;
- ◆ Project plan and project plan management;
- ◆ Budget;
- ◆ Cost and fee payment;
- ◆ Method of communication;
- ◆ Reporting relationship;
- ◆ Deliverables and conditions and terms of deliverables;
- ◆ Form and formats of working papers;
- ◆ Reviews;
- ◆ Uncompleted work;
- ◆ Confidentiality;
- ◆ Disputes; and



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- ◆ Financial penalties and termination of contract.
- 14.3 The service provider should submit an acceptance letter and be available to commence with the project within five (5) days after receiving official order and the service level agreement being signed.
- 14.4 During the execution of the project, the service provider is required to give reports on the progress of the project. It is the responsibility of the service provider to organise the progress report meetings and have one of their representatives assigned to taking minutes and circulating them to the steering committee members.
- 14.5 Project team members must be available for the duration of the project, the service provider is not allowed to change the composition without prior consent of the DALRRD.
- 14.6 Any deviation from the project plan should be put in writing and signed by the project manager of DALRRD.
- 14.7 Any suggestions during the progress meetings, once accepted by both parties, shall form part of the contract.
- 14.8 Payments will be on work-completed basis i.e. on set milestones as per the project plan.
- 14.9 Financial penalties will be imposed for agreed upon milestones, targets, and deadline not met without providing:
- a) Timely notification of such delays.
 - b) Reasons for the delays.



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- c) Supporting evidence that the delays were outside of the influence of the service provider.
- 14.10 Payment will ONLY be made as per deliverables and upon SATISFACTION of good and quality product. Therefore, original invoices submitted for payments must be submitted for payment with relevant supporting documents. No copies or e-mailed invoices will be processed.
- 14.11 Financial penalties will be imposed if the outputs produced do not meet the agreed upon deliverables criteria as stipulated in the General Conditions of Contract.
- 14.12 Original invoices to substantiate all costs must be provided. The invoices should include DALRRD order number that will be provided to the selected service provider upon acceptance of the proposal.
- 14.13 When DALRRD accepts the final product, the appointed service provider will be liable to correct errors and fill gaps that may be discovered in the data/project, at no charge to DALRRD. This condition will apply for a period of one month from the day the project was completed and submitted to DALRRD.
- 14.14 The DALRRD reserves the right not to appoint anyone.
- 14.15 No material or information derived from the provision of the services under the contract may be used for any other purposed except for those of the DALRRD, except where duly authorized to do so in writing by the DALRRD.
- 14.16 Copyright in respect of all documents and data prepared or developed for the purpose of the project by the Service Provider shall be vested in DALRRD.



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- 14.17 The successful Service Provider agrees to keep confidential all records and information of or related to the project and not disclose such records or information to any third party without the prior written consent of DALRRD.
- 14.18 All works relating to spatial information remains the property of the state and shall be disseminated in line with the policy on pricing of spatial information products and services.
- 14.19 The successful Service Provider agrees to maintain the level of technical capacity as indicated in the bidding document submitted, throughout the duration of the project and any change to their team shall not compromise the technical capacity of the Service Provider or impact negatively on the pace and quality of the project outcome

15. MANDATORY REQUIREMENTS

Failure to submit/attach/attend the following requirements with the proposal will disqualify the bidder's proposal.

- 15.1 A resolution authorizing a particular person to sign the bid documents. In cases of a joint venture, each company/entity must submit a separate resolution authorizing a particular person to sign the bid documents, including a consolidated resolution letter on behalf of the joint venture.
- 15.2 Bidders must complete and sign the pricing schedule (SDB 3.3).
- 15.3 The Project Leader must be registered as a Professional Planner with the South African Council for Planners with a minimum of 10 years' experience in spatial planning. A copy of a **valid** registration certificate should be attached to the



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proposal.

- 15.4 One member of the Project Team must be a GISc Practitioner (at least at Technologist level) registered with the SAGC. A copy of the valid registration certificate should be attached to the proposal.

16. ADMINISTRATIVE REQUIREMENTS

- 16.1 The Bidder is required to be registered on the Central Supplier Database (CSD) prior submitting the Bid. Where Consortia / Joint Ventures / Sub-contractors are involved, each party must be registered on the Central Supplier Database prior submitting the Bid.
- 16.2 Bidders must ensure compliance with their tax obligations. Bidders may submit printed TCS/CSD/SARS PIN together with their bid. In bids where a consortia/Joint Venture/sub-contractors are involved each party must submit a separate valid tax clearance certificate, SARS Pin, TCS or CSD printout.

17. REPORTING AND ACCOUNTABILITY

- 17.1 During the execution of the project, the service provider will be required to submit progress reports and attend meetings at intervals as it will be determined by the project team or steering committee managing the project.
- 17.2 All information captured and or used to generate the outputs of the project remains the property of DALRRD and Chief Albert Luthuli Local Municipality and must be handed over in its totality when the project is closed. DALRRD and Chief Albert Luthuli Local Municipality will retain copyright and all associated intellectual rights thereof. This document together with all agreements to be or



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reached during the course of the project become part of the contract. The information must be captured and provided in a digital format as agreed (in writing) between the service provider and DALRRD. This agreement must be reached and signed off together with the project plan before the project commences.

18. EVALUATION CRITERIA

Proposals will be evaluated in two stages. On the first stage, bids will be evaluated on functionality and on the second stage will be evaluated in accordance with 80/20 preference points system as stipulated below. The following Quality (functionality) criteria set out in the table below will be used in the evaluating of the tenders regarded as being responsive.

18.1 Evaluation of Functionality

The evaluation of the functionality will be evaluated individually by Members of Bid Evaluation Committee in accordance with the below functionality, criteria and values. The applicable values that will be utilized when scoring each criterion range from 1 being poor, 2 being average, 3 being good, 4 being very good and 5 being excellent.

The minimum requirements as highlighted in the below table is an indication of the benchmark required to qualify for the second stage (presentation) of the evaluation.

The bids that fail to achieve a minimum of 70 points out of 100 points for functionality will be disqualified. This means that such bids will not be evaluated on second stage (Preference Points System).



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CRITERIA	GUIDELINES FOR CRITERIA APPLICATION	WEIGHT	
<p>1. Capability: Firm's experience, track record and competency</p>	<p>Team leader must be registered as a Professional (in good standing) with a minimum of 10 years' experience in spatial planning projects. (Attach updated CV's of 3 pages or less clearly indicating post registration experience and an outline of recent assignments / experience relevant to the review or development of Spatial Plans</p> <p>1) 17 and above years post registration experience – (score = 5) 2) 16 to 17 years post registration experience – (score = 4) 3) 14 to 15 years post registration experience – (score = 3) 4) 12 to 13 years post registration experience – (score = 2) 5) 10 - 11 years post registration experience – (score = 1)</p>	20	20
	<p>Composition of technical team to be utilized in the execution of the project consists of the below professions: (Attach copies of qualifications and CV's of 3 pages or less clearly indicating a detailed profile of their previous work experience, Contactable references – list names and contact details – cellphone/ telephone numbers, and e-mail address).</p>		40



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	<p>Minimum of two Town Planners/ Urban Designers (In addition to the Project Leader): registered as Professional Planners with SACPLAN each with adequate post registration experience in spatial planning.</p> <ol style="list-style-type: none"> 1) Two Planners/Urban Designers registered as Professional Planners with a combined experience of 20 years or above in spatial planning. (score = 5) 2) Two Planners/Urban Designers registered as Professional Planners with a combined experience of 15 to 19 years in spatial planning. (score = 4) 3) Two Planners/Urban Designers registered as Professional Planners with a combined experience of 10 to 14 years in spatial planning. (score = 3) 4) Two Planners/Urban Designers registered as Professional Planners with a combined experience of 5 to 9 years in spatial planning. (score = 2) 5) Two Planners/Urban Designers registered as Professional Planners with less than 5 years combined experience in spatial planning. (score = 1) 	10	
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	<p>GIS Specialist (At least at Technologist level): Relevant qualification plus 5 years post qualification experience in mapping and analysis.</p> <ol style="list-style-type: none"> 1) Relevant qualification plus registration with SAGC, with over 15 years post qualification relevant experience mapping and analysis – (score 5) 2) Relevant qualification plus registration with SAGC, with 12 and 14 years post qualification relevant experience mapping and analysis – (score 4) 3) Relevant qualification plus registration with SAGC, with 9 to 11 years post qualification relevant experience mapping and analysis - (score 3) 4) Relevant qualification plus registration with SAGC, with 6 – 8 years' post qualification relevant experience mapping and analysis – (score 2) 	15	
	<p>Economist: B Degree with specialization in Economics or Development Economics/ Urban Economics plus adequate post qualification experience.</p> <ol style="list-style-type: none"> 1) Bcom Degree with more than 10 years post qualification relevant experience – (score 5) 2) Bcom Degree with 8 to 10 years post qualification relevant experience – (score 4) 3) Bcom Degree with 5 to less than 8 years post qualification relevant experience – (score 3) 4) Bcom Degree with 3 to less than 5 years post qualification relevant experience – (score 2) 5) Bcom Degree with less than 3 years post qualification relevant experience – (score 1) 	5	



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	<p>Town Planning Company with experience in developing a minimum of 3 spatial development frameworks (Provide client reference for all project completed within the last ten years).</p> <ol style="list-style-type: none"> 1) Seven (7) or more Spatial Development frameworks completed in the last 10 years – (score 5) 2) Six (6) Spatial Development frameworks completed in the last 5 years – (score 4) 3) Five (5) Spatial Development frameworks completed in the last 5 years – (score 3) 4) Four (4) Spatial Development frameworks completed in the last 5 years – (score 2) 5) Three (3) Spatial Development frameworks completed in the last 5 years – (score 1) 	10	
2. Methodology	<p>Clear approach and methodology of how the project deliverables will be executed:</p> <ol style="list-style-type: none"> 1. The service provider approach and methodology are exceptional, demonstrates an exceptional understanding on how to execute the project, and includes some innovative ideas. - (score 5) 2. The service provider approach and methodology are highly defined and well demonstrated on how to execute the project. - (score 4) 3. The service provider approach and methodology are clearly defined and demonstrate good understanding on how to execute the project. - (score 3) 4. The service provider approach and methodology is fair and demonstrate little understanding on how to execute the project. - (score 2) 5. The service provider approach and methodology are not clearly defined. - Poor (score 1) 	30	40



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	<p>A project plan demonstrating a coordinated approach of how various project deliverables will be managed against timeframes.</p> <ol style="list-style-type: none"> 1. The service provider proposes innovative solutions to deliver the project ahead of schedule. - (score 5) 2. The proposed project plan meets all requirements and demonstrates a high standard of project execution. - (score 4) 3. The proposed project plan is in line with all the requirements. - (score 3) 4. The proposed project plan meets some of the requirements. Delays are unlikely to have a significant impact on the outcome. - (score 2) 5. The proposed project plan does not meet the requirements. - (score 1) 	10	
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The bids that fail to achieve a minimum of 70 points out of 100 points for functionality will be disqualified. This means that such bids will not be evaluated in accordance to the second stage (80/20 Preference Points System).

Only bids that achieve the minimum qualifying score of 75 points out of 100 points for functionality will be evaluated in the second stage (80/20 Preference Points System).

18.2 Second Stage - Evaluation in terms of 80/20 Preference Points System

Only bids that achieve the minimum qualifying score for functionality will be evaluated further in accordance with the 80/20 preference points system.

18.3 Stipulation of the preference point system



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The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Percentage ownership equity (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
I. HDI	10		
II. Who is female	5		
III. Who has a disability	2		
IV. Specific goal: Who is youth	3		

The number of points claimed for specific goals, are calculated as follow:

- (I) A maximum of 10 points may be allocated to tenderers: Historically Disadvantaged Individuals (HDI)
 - **Percentage ownership equity** x 10 ÷ 100 = number of points claimed.
- (II) A maximum of 5 points may be allocated for to tenderers who is female, on the following basis
 - **Percentage ownership equity** x 5 ÷ 100 = number of points claimed.
- (III) A maximum of 2 points may allocated to tenderers who has a disability, on the following basis:
 - **Percentage ownership equity** x 2 ÷ 100 = number of points claimed.
- (IV) A maximum of 3 points may be allocated to tenderers who are youth, on the following basis:
 - **Percentage ownership equity** x 3 ÷ 100 = number of points claimed.



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It is important to note that failure by a tenderer to complete table 2.12 in full on SBD 6.1 will result in points for specific goals not to be allocated.

Bidders are required to complete the preference claim form (SBD 6.1), and submit proof or documentation required in terms of this tender to claim points for specific goals.

The points scored by a bidder in respect of the specific goals will be added to the points scored for price. The points scored will be rounded off to the nearest 2 decimals.

In the event should two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals.

In the event should two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

19. PROJECT MANAGEMENT WITHIN DALRRD

19.1 This project will be facilitated by a team consisting of officials from DALRRD and Chief Albert Luthuli Local Municipality and any other person(s) appointed by DALRRD.

20. OUTCLAUSE

20.1 The Department of Agriculture, Land Reform and Rural Development reserves the right not to appoint if suitable candidates are not found, at the complete discretion of the Department.

20.2 The Department of Agriculture, Land Reform and Rural Development (DALRRD) reserves the right to terminate the contract in the event that there is clear evidence of non-performance.



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(DALRRD) reserves the right to terminate the contract in the event that there is clear evidence of non-performance.

21. PUBLICATION

- 21.1 Central Supplier Database
- 21.2 Departmental Website
- 21.3 National Treasury E-portal

22. CONTACT PERSON FOR TECHNICAL ENQUIRIES

Mr. Colani Sambo

Telephone Number: (013) 754 8049

Email: Colani.Sambo@dalrrd.gov.za

Mr. Simanga Nkosi

Telephone Number: (013) 754 8104

Email: Simanga.Nkosi@dalrrd.gov.za

23. CONTACT PERSON FOR ENQUIRIES

Mr. Tshepo Seoe

Telephone Number : (013) 754 8038/8000

Email: Tshepo.Seoe@dalrrd.gov.za

Ms. Bonakele Mapiyeye

Telephone Number : (013) 754 8062/8000

Email: BonakeleM@dalrrd.gov.za



**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (DEPARTMENT OF AGRICULTURE LAND REFORM AND RURAL DEVELOPMENT)					
BID NUMBER:	24/25/95	CLOSING DATE:	10 October 2024	CLOSING TIME:	11:00 AM
DESCRIPTION	Appointment of Service Provider for the Review of Municipal Spatial Development Framework within a period of Eight (8) months, Chief Albert Luthuli Local Municipality, Mpumalanga Province.				
BID RESPONSE DOCUMENTS MAY SUBMITTED VIA EMAIL					
BonakeleM@dalrrd.gov.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ms. Bonakele Mapiyeye	CONTACT PERSON	Mr Colani Sambo		
TELEPHONE NUMBER	013 754 8062/8038/8000	TELEPHONE NUMBER	013 754 8049		
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS	BonakeleM@dalrrd.gov.za	E-MAIL ADDRESS	Colani.Sambo@dalrrd.gov.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] <input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]		
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
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		
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:

Bid No.:

Name of Bidder:

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NAME OF BIDDER:.....	BID NO.:
CLOSING TIME	

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

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF <u>VALUE ADDED TAX</u>
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1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate rates based on the total Estimated cost for all the activities and including expenses inclusive of VAT for the project.

Bidder Initials
 Bidder Signature.....
 Date:.....

Bid No.:

Name of Bidder:

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3 **TOTAL BID PRICE** R.....

NB: REFER TO THE PARAGRAPH 4; 5 & 7 OF THE TERMS OF REFERENCE

PHASES	TIME FRAMES	% PAYABLE	TOTAL COST
Phase 1: Inception report	2 weeks	5%	R.....
Phase2: Data Collection and research Analysis	1 month & 2 weeks	20 %	R.....
Phase 3: Draft SDF and Supporting Documents	2 months	30%	R.....
Phase 4: Consultation and Amendments	3 months	25%	R.....
Phase 5: Final SDF and Capital Expenditure Report	1 month	15%	
Retention		5%	R.....
TOTAL COST EXCLUDING VAT			R.....
VAT 15%			R.....
TOTAL COST INCLUDING VAT			R.....

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

6. Estimated man-days for completion of project
.....

Bidder Initials
Bid's Signature.....
Date:.....

Bid No.:

Name of Bidder:

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7. Are the rates quoted firm for the full period of contract?

.....

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

.....

.....



Bid Initials
Bid's Signature.....
Date:.....

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

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.

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 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

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.

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

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL
PROCUREMENT REGULATIONS 2022**

PRICE QUOTATION PROCESS (UP TO R 1 MILLION)

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

1. 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 tender 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;
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000); and
- (f) "Historically Disadvantaged individuals" means a person historically disadvantaged by unfair discrimination on the basis of race: Provided that a person historically disadvantaged on the basis of race refers to Africans, Coloureds, Indians and people of Chinese descent who are South African citizens by birth or descent; or who became citizens of the Republic of South Africa by Naturalisation -
- Before 27 April 1994; or
 - On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date.

2. GENERAL CONDITIONS

2.1 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

2.2 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) 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.

2.3 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.

2.4 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

2.5 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.

2.6 Tenderers that fail to claim points for specific goals or that fail to fully complete the table in paragraph 2.12 below, will not be awarded points for specific goals.

2.7 Tenderers that make a calculation error when claiming points as per the table in paragraph 2.12 below, will not be awarded points for specific goals. Please take note of the examples on how to calculate points for specific goals as per paragraph 2.12 below.

2.8 Tenderers that fail to submit the correct SBD 6.1 form as issued by the Department of Agriculture, Land Reform and Rural Development, will not be awarded points for specific goals.

2.9 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.

2.10 Tenderers who wish to claim points in terms of the table in paragraph 2.12 below need to provide proof for each point claimed as guided below:

2.10.1 Historically Disadvantaged individuals (HDI):

- **Attach a copy of Identity Document (ID) and company registration document.**

2.10.2 Who is female:

- **Attach a copy of Identity Document (ID) and company registration document.**

2.10.3 Who has a disability:

- **Attach a certified copy or original doctor’s letter confirming the disability.**

2.10.4 Who is youth (a person that is not older than 35 years on the closing date of a bid):

- **Attach a copy of Identity Document (ID) and company registration document.**

2.11 The Department will use the Central Supplier Database and documents submitted by the tenderer to verify the points claimed for specific goals.

2.12 **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)	Percentage ownership equity (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
I. HDI	10		
II. Who is female	5		
III. Who has a disability	2		
IV. Specific goal: Who is youth	3		

The number of points claimed for specific goals, are calculated as follow:

(I) A maximum of 10 points may be allocated to tenderers who had no franchise in national elections before the 1983 and 1993 Constitution, on the following basis:

- **Percentage ownership equity** x 10 ÷ 100 = number of points claimed.

(II) A maximum of 5 points may be allocated for to tenderers who is female, on the following basis:

- **Percentage ownership equity** x 5 ÷ 100 = number of points claimed.

(III) A maximum of 2 points may be allocated to tenderers who has a disability, on the following basis:

- **Percentage ownership equity** x 2 ÷ 100 = number of points claimed.

(IV) A maximum of 3 points may be allocated to tenderers who are youth, on the following basis:

- **Percentage ownership equity** x 3 ÷ 100 = number of points claimed.

2.13 It is important to note that failure by a tenderer to complete the table in paragraph 2.12 in full, will result in points for specific goals not to be allocated.

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = 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 points is allocated for price on the following basis:

80/20

$$Ps = 80 \left(1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = 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 the table in paragraph 2.12 above 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.

4.3 A consortium or joint venture may, based on the percentage of the contract value managed or executed by their members, be entitled to claim points in respect of specific contract participation goals.

4.4 A tenderer will not be awarded points for HDI if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for the same number or more points for equity ownership.

4.5 A tenderer awarded a contract as a result of preference for contracting with, or providing equity ownership to a HDI, may not subcontract more than 25% of the value of the contract to a tenderer who is not a HDI or does not qualify for the same number or more preference for equity ownership.

5. SUB-CONTRACTING

5.1 Will any portion of the contract be sub-contracted?
(*Tick applicable box*)

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

5.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted:%
- ii) The name of the sub-contractor:
- iii) Points claimed for HDI by the sub-contractor:

6. DECLARATION WITH REGARD TO COMPANY/FIRM

6.1. Name of company/firm:

6.2. Company registration number:

6.3. 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]

6.4. 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: