TERMS OF REFERENCE FOR APPOINTMENT OF A SERVICE PROVIDER FOR CONSTRUCTION OF A WATER RESEVOIR IN ADDO ELEPHANT NATIONAL PARK

RFQ NO.

SANParks-16721-02-20
**REQUEST FOR PRICE QUOTATIONS**

You are hereby invited to submit price quotations for:

**CONSTRUCTION OF A WATER RESEVOIR IN ADDO ELEPHANT NATIONAL PARK**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RFQ Number:</strong></td>
<td>SANParks-16721-02-20</td>
</tr>
<tr>
<td><strong>Advertisement Date:</strong></td>
<td>20 February 2020</td>
</tr>
<tr>
<td><strong>Closing Date:</strong></td>
<td>28 February 2020</td>
</tr>
<tr>
<td><strong>Closing Time:</strong></td>
<td>12H00</td>
</tr>
<tr>
<td><strong>Validity of the Quotations</strong></td>
<td>90 days</td>
</tr>
<tr>
<td><strong>Bid Document Delivery Email Address:</strong></td>
<td>Administration Building, Addo Elephant National Park, R335 Paterson Road, Addo, 6105</td>
</tr>
<tr>
<td><strong>For Attention:</strong></td>
<td>SCM QUOTATIONS</td>
</tr>
<tr>
<td><strong>Contact details</strong></td>
<td>042 233 8661</td>
</tr>
</tbody>
</table>
PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/PUBLIC ENTITY)

BID NUMBER: SANParks-16721-02-20 CLOSING DATE: 28-02-2020 CLOSING TIME: 12H00

DESCRIPTION
APPONITION OF A SERVICE PROVIDER FOR CONSTRUCTION OF A WATER RESEVOIR IN ADDO ELEPHANT NATIONAL PARK

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)
ADMINISTRATION BUILDING, ADDO ELEPHANT NATIONAL PARK

R335, PATERSON ROAD, 6015

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

CONTACT PERSON NOMNQWENO MLABA CONTACT PERSON ALTHEO BOTHA
TELEPHONE NUMBER 042 233 8661 TELEPHONE NUMBER 042 233 3911
E-MAIL ADDRESS Nomnqweno.mhlaba@sanparks.org E-MAIL ADDRESS Althea.botha@sanparks.org

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:

B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE

TICK APPLICABLE BOX] B-BBEE STATUS LEVEL SWORN AFFIDAVIT [TICK APPLICABLE BOX]

☐ Yes ☐ No ☐ Yes ☐ No

[NOTE: A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?

☐ YES ☐ NO

ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?

☐ YES ☐ NO

[IF YES, ANSWER THE QUESTIONNAIRE BELOW]

[QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS]

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.
## 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](http://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:** ..........................................................
1. PURPOSE

SANParks invites suitable and experienced contractors for construction of two new ± 230 KL reservoir with PVC liner complete with ring beam in order to serve as water storage facility at the Main Rest Camp, Addo Elephant National Park. A new water trough at Hapoor dam for a drinking point for wild life. Bids are sought from reputable contractors that have experience and capability in the construction industry and that are registered on CIDB with grading level 1 CE or higher.

2. BACKGROUND

South African National Parks (SANParks) is a public entity functioning under National Environmental Management: Protected Areas Act 57 of 2003 (Act 57 of 2003); with the mandate to conserve; protect; control; and manage national parks and other defined protected areas and their biological diversity (Biodiversity). As a public entity, SANParks is also governed by the Public Finance Management Act, Act 1 of 1999 (as amended by Act 29 of 1999), and it is listed as Schedule 3 Part A: 25 public entities.

SANParks’ operations are totally guided by its vision statement and mission statement. As a public entity, the organisation is committed to act in pursuance of transformation of South Africa’s society in support of entrenching South Africa’s democracy. In this regard, the organisation has adopted a transformation mission to guide its efforts accordingly.

3. SCOPE OF WORK

The contract will consist of the following elements:

- Construction of two 230 KL reservoirs complete with liner and ring beam as per drawing attach.
- Construction of a water trough at Hapoor as per drawing attach

4. SPECIFICATIONS

DESCRIPTION OF THE WORKS

1. Supply two new ± 230 KL reservoir’s with PVC liner’s delivered at Addo Elephant National Park. The construction of the two ring beams as per drawing Attach. (Please note: get the correct size from the supplier that supply the reservoir)
2. The construction of a water trough as per drawing
Construction period
Due to a time restriction construction need to be complete by the end of March 2020.

Location of the works and access
Addo Elephant National Park about 80 Km from Port Elizabeth between the town Addo and Patterson on the R 335

Pricing instructions
Provide a complete price break down. The cost needs to be carried over to “Quote” on page 11 of the RFQ.

a) Specification for the reservoirs

- Zincalume steel wall structure - G300 minimum grade
- Colour - SANParks Green or similar
- PVC Liner - min. 1,000 g/m²
- Zincalume Dome Roof - G550 min. grade - Hot dipped galv. trusses - no centre post
- 50mm Inlet - BSP Threaded (side / top)
- 50mm Over Flow - BSP Threaded (on side - top level)
- 80mm Outlet - Flanged T1000 (on side - bottom level)
- 100mm Scour Outlet - Flanged - T1000 (in bottom - sideways)
- Whirly Bird for ventilation (mounted on roof)
- Hatch access - lockable
- Ladder for easy access

b) Specification for ring beam and ground prep

![Diagram of reservoir section and plan views](image-url)
Inside Tank

Tank Wall
Chamfer internal edge

100 mm Sand bed
(Clean fill, free of all debris such as rocks, sticks, etc.)

Outside Tank

Position of Jack when required
Concrete ring beam (25 MPa min) must be level and smooth to construction tolerances
Aggregate to arrest possible erosion

5 x Y-12 Reinforcing bars

R-10 Stirrups
(Shape Code 72) @ 300 mm centres

Finished Ring Beam Detail
c) **Specification of the water trough**

See drawing attach
5. TIMELINES

Upon appointment the recommended supplier is expected to complete the works by the end of March 2020 due to time restriction, supplier must be able to start with the works as soon as the Purchase Order is received.

5. SPECIAL CONDITIONS

- All goods or services purchased will be subjected to inspection by SANPArks management
- According to the available budget, SANParks may decide to award only part of the work to the successful service provider.
- The extent of the works will then be confirmed with the issuing of an official “Purchase Order”.
- All appointed organizations must comply with OHS Act 1993 and Regulations.
- Penalty Clause (delivery of inferior quality materials): The delivery of inferior quality material will be penalised. Inferior quality material shall be returned to the supplier at the bidders cost
- In the event that the supplier fails to complete the job, SANParks retains the right to take which ever steps are necessary to alleviate the situation. This may include the involvement of other suppliers or contractors and the contractor will not have any claim because of the actions taken by SANParks.
- Price quoted must include supply of material, delivery and labour costs.
- An official order will be issued before commencement of works to Addo Elephant National Park

6. FINANCIAL PAYMENT

Payment will be made in accordance to the PFMA (within 30 days) after delivery of service rendered or goods delivered.

7. MINIMUM SCREENING REQUIREMENTS (RETURNABLE DOCUMENTS)

In this phase all bids received will be verified for compliance and completeness of the submitted proposal as per the below set of minimum requirements. Bidders who fail to comply with the below requirements may be eliminated and not progress to the next evaluation phase.

Bidders who comply the below requirements will progress to the next phase of the evaluation, (Stage (2): Price and Preference Point Allocation System):

- Invitation to bid (SBD1) must be fully completed.
- Submission of fully completed pricing schedule ( Firm prices– SBD 3.2)
- Submission of fully completed SBD 4 ( Declaration of Interest)
- Submission of fully completed SBD 6.1 ( Preference Claim Certificate), accompanied by the original or certified B-BBEE Status Level Verification Certificate as issued by SANAS
accredited service providers or a Sworn Affidavit signed by the Commissioner of Oath. Any copies submitted in this case should be certified.

- Submission of fully completed SBD 8 (Declaration of Bidders Past SCM Practice).
- Submission of fully completed SBD9 (Certificate of Independent Bid Determination)
- Proof of registration with Central Supplier Database (CSD)

**Mandatory Returnable Documents**

Bidders who fail to comply with the below requirements MAY be eliminated and bidders who comply with the below will progress to the next phase of Price and Preference point allocation system.

The following mandatory documents must also be attached in support of your bid proposal:

- Tenderers with a CIDB Grading level 1 CE or higher are eligible to apply. Proof of CIDB grading registration must be submitted.
- Occupational Health and Safety Plan / Policy
- Letter of Good Standing on Compensation for Occupational Injuries & Diseases Act (COIDA) for Construction Industry
- Submit a company profile

### 8. BID RESPONSES USING THE PRICE AND B-BEEE SCORES

All bids that met all the requirements in terms of compliance and completeness of the submitted proposal per the above set of mandatory requirements will progress to this final phase of Price and Preference (B-BEEE Score) points allocation systems

**EVALUATION CRITERIA AND WEIGHTING:**

Bids are to be evaluated using the 80/20 preference points system in accordance with the PPPFA guidelines. Based on this system the points will be allocated as follows:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Price</td>
<td>80</td>
</tr>
<tr>
<td>Participation Goals/BEE</td>
<td>20</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

**EVALUATION FORMULA**

The following formula will be applied to calculate the scores:

**Price Formula**

The following PPPFA formula was used to evaluate the price proposals submitted by bidders, this formula was used because price was the only criterion that was scored i.e. the whole 80 points were allocated to price.
9. EVALUATION FORMULA FOR PRICE

The following formula will be applied to calculate the scores:

**Price Formula**

The following PPPFA formula was used to evaluate the price proposals submitted by bidders, this formula was used because price was the only criterion that was scored i.e. the whole 80 points were allocated to price.

\[
PS = 80 \left(1 - \frac{Pt - Pmin}{Pmin}\right)
\]

- \(PS\) = Points scored for price of the bid under consideration.
- \(Pt\) = Rand value of bid under consideration.
- \(Pmin\) = Rand value of lowest acceptable bid

10. FINAL AWARD

Bidder who complies with the specifications and scores highest total points on PRICE and B-BBEE claimed points shall be awarded the contract. SANParks reserves the right not to appoint.
**PRICING SCHEDULE – FIRM PRICES**

(PURCHASES)

**NOTE:** ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED.

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT.

Name of bidder: ..................................................  Bid number: ..........................................................

Closing Time 12:00  Closing date: ..........................................................

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

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>QUANTITY</th>
<th>DESCRIPTION</th>
<th>BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)</th>
</tr>
</thead>
</table>

- Required by: .............................................
- At: ............................................................
- Brand and model: ...........................................
- Country of origin: ...........................................
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s): .............................................
- Period required for delivery: .............................................
- Delivery basis: .............................................

*Delete if not applicable

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

**“all applicable taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.**
PREFERENCE POINTS CLAIMED (SBD 6.1)


10.1 GENERAL CONDITIONS

10.1.1 The following preference point systems are applicable to this bid:
   - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

10.1.2
   a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable

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

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

<table>
<thead>
<tr>
<th></th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRICE</td>
<td>80</td>
</tr>
<tr>
<td>B-BBEE STATUS LEVEL OF CONTRIBUTOR</td>
<td>20</td>
</tr>
<tr>
<td>Total points for Price and B-BBEE must not exceed</td>
<td>100</td>
</tr>
</tbody>
</table>

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

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

10.2 DEFINITIONS

(a) “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

(b) “B-BBEE status level of contributor” means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(c) “bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

(d) “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(e) “EME” means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based
Black Economic Empowerment Act;

(f) “functionality” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.

(g) “prices” includes all applicable taxes less all unconditional discounts;

(h) “proof of B-BBEE status level of contributor” means:
   1) B-BBEE Status level certificate issued by an authorized body or person;
   2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
   3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) “QSE” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(j) “rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

10.3 POINTS AWARDED FOR PRICE

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

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

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

Where

\[
\begin{align*}
P_s & = \text{Points scored for price of bid under consideration} \\
P_t & = \text{Price of bid under consideration} \\
P_{\text{min}} & = \text{Price of lowest acceptable bid}
\end{align*}
\]

10.4 POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

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

10.5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

10.6 B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

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

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

10.7 SUB-CONTRACTING

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

(Tick applicable box)

YES  NO

10.7.2 If yes, indicate:

i) What percentage of the contract will be subcontracted...........................................%  

ii) The name of the sub-contractor.................................................................

iii) The B-BBEE status level of the sub-contractor.............................................

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES  NO

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

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

10.8 DECLARATION WITH REGARD TO COMPANY/FIRM

10.8.1 Name of company/firm:..................................................................................................

10.8.2 VAT registration number:..................................................................................................

10.8.3 Company registration number:...........................................................................................

10.8.4 TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium

☐ One-person business/sole propriety
10.8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

10.8.6 COMPANY CLASSIFICATION

☐ Manufacturer

☐ Supplier

☐ Professional service provider

☐ Other service providers, e.g. transporter, etc.

[Tick Applicable Box]

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

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

i) The information furnished is true and correct;

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

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

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

   (a) disqualify the person from the bidding process;

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

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

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

DECLARATION OF INTEREST (SBD 4)

Any legal person, including persons employed by the State¹, or persons having a kinship with persons
employed by the State, including a blood relationship, may make an offer or offers in terms of this invitation to Bid (includes an advertised competitive Bid, a limited Bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting Bid, or part thereof, be awarded to persons employed by the State, or to persons connected with or related to them, it is required that the Bidder or his/her authorised representative, declare his/her position in relation to the evaluating/adjudicating authority where:

- The Bidder is employed by the State; and/or
- The legal person on whose behalf the Bidding Document is signed, has a relationship with persons/s person who is/are involved in the evaluation and or adjudication of the Bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and/or adjudication of the Bid.

In order to give effect to the above, the following questionnaire must be completed and submitted with this Bid:

- Full Name of Bidder or his/her representative
- Identity Number:
- Position occupied in the Company (director, trustee, shareholder², member):
- Registration number of company, enterprise, close corporation, partnership agreement or trust:
- Tax Reference Number:
- VAT Registration Number:
- The names of all directors/trustees/shareholders/members, their individual identity numbers, tax reference numbers and, if applicable, employee/PERSAL numbers must be indicated in a separate schedule including the following questions:

  Schedule attached with the above details for all directors/members/shareholders

- Are you or any person connected with the Bidder presently employed by the state? If so, furnish the following particulars in an attached schedule:

  Name of person/ director/ trustee/ shareholder/member:
  Name of state institution at which you or the person connected to the Bidder is employed
  Position occupied in the state institution
  Any other particulars:

- If you are presently employed by the State, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? If Yes, did you attach proof of such authority to the Bid document? If No, furnish reasons for non-submission of such proof as an attached schedule (Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the Bid.)

- Did you or your spouse or any of the company’s directors/ trustees /shareholders /members or their spouses conduct business with the State in the previous twelve months? If so, furnish particulars as an attached schedule:
**DEARATION OF BIDDER'S PAST SCM PRACTICES (SBD 8)**

- Do you, or any person connected with the Bidder, have any relationship (family, friend, other) with a person employed by the State and who may be involved with the evaluation and or adjudication of this Bid? If so, furnish particulars as an attached schedule.
  - Yes
  - No

- Are you, or any person connected with the Bidder, aware of any relationship (family, friend, other) between any other Bidder and any person employed by the State who may be involved with the evaluation and or adjudication of this Bid?
  - Yes
  - No

- Do you or any of the directors/ trustees/ shareholders/ members of the company have any interest in any other related companies whether or not they are bidding for this contract? If so, furnish particulars as an attached schedule.
  - Yes
  - No

---

**CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)**

I, the undersigned, in submitting this Bid in response to the invitation for the Bid made by SOUTH AFRICAN NATIONAL PARK, do hereby make the following statements that I certify to be true and complete in every respect:

- I have read and I understand the contents of this Certificate;
  - Yes
  - No

- I understand that the Bid will be disqualified if this Certificate is found not to be true and complete in every respect;
  - Yes
  - No

- I am authorised by the Bidder to sign this Certificate, and to submit the Bid, on behalf of the Bidder;
  - Yes
  - No

- Each person whose signature appears on the Bid has been authorised by the Bidder to determine the terms of, and to sign, the Bid on behalf of the Bidder;
  - Yes
  - No

For the purposes of this Certificate and the accompanying Bid, I understand that the word “competitor” shall include any individual or organisation, other than the Bidder, whether or not affiliated with the Bidder, who:
a) Has been requested to submit a Bid in response to this Bid invitation;

b) Could potentially submit a Bid in response to this Bid invitation, based on their qualifications, abilities or experience; and

c) Provides the same goods and services as the Bidder and/or is in the same line of business as the Bidder

The Bidder has arrived at the accompanying Bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

In particular, without limiting the generality of paragraphs above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

a) Prices;

b) Geographical area where product or service will be rendered (market allocation);

c) Methods, factors or formulas used to calculate prices;

d) The intention or decision to submit or not to submit, a Bid;

e) The submission of a Bid which does not meet the specifications and conditions of the Bid; or

f) Bidding with the intention not to win the Bid.

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

The terms of this 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.

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

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

STANDARD BIDDING DOCUMENTS DECLARATION

The following documents are deemed to form and be read and construed as part of this agreement
even where integrated in this document:

<table>
<thead>
<tr>
<th>Declaration of Interest (SBD4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Treasury Central Supplier Database (CSD) Registration number</td>
</tr>
<tr>
<td>Proof of Registration on National Treasury Central Supplier Database (CSD)</td>
</tr>
<tr>
<td>Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2017 (SBD6.1)</td>
</tr>
<tr>
<td>Where a valid BBBEE Certificate is not on file with SANParks, please attach</td>
</tr>
<tr>
<td>General Conditions of Contract</td>
</tr>
<tr>
<td>Declaration of Bidder’s past SCM practices (SBD8);</td>
</tr>
<tr>
<td>Certificate of Independent Bid Determination (SBD9)</td>
</tr>
</tbody>
</table>

**The obligation to complete, duly sign, and submit these declarations included in the SBD declaration pack cannot be transferred to an external authorized representative, auditor, or any other third party acting on behalf of the legal entity.**

I declare that I have had no participation in any collusive practices with any Bidder or any other person regarding this or any other procurement.

I certify that the information furnished in these declarations (Tax compliance status, SBD 4, SBD 6.1, SBD 8, SBD 9) is correct and I accept that SANParks may reject the Offer or act against me should these declarations prove to be false.

I confirm that I am duly authorised to sign this SBD declaration pack by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive or Senior Member/Persont with management responsibility (Close Corporation, Partnership, or Individual)

<table>
<thead>
<tr>
<th>NAME (PRINT)</th>
<th>WITNESSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAPACITY</td>
<td>1</td>
</tr>
<tr>
<td>SIGNATURE</td>
<td>2</td>
</tr>
<tr>
<td>NAME OF FIRM</td>
<td>Date</td>
</tr>
<tr>
<td>DATE</td>
<td></td>
</tr>
</tbody>
</table>