



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

Enquiries: A Nkuna
Tel no. email as indicated

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

PANEL OF SERVICE PROVIDERS

REQUEST FOR QUOTATION FOR THE APPOINTMENT OF THE TRANSACTIONAL ADVISOR TO RESTRUCTURE AND SET UP THE BUSINESS PLAN: FARM OSHOEK. REFER TO THE ATTACHED TOR.

REQUEST FOR THE 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 Rural Development and Land Reform (DRDLR)

Item #	Description	Qty
1	TRANSACTIONA ADVISOR	

Closing Date: 13/08/2022

Closing Time: 16h00

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 ANkuna2@dalrrd.gov.za on or before the closing date and time. All documentation/ certificates indicated on specification Tax clearance certificate, BBBEE Certificate, SBD Forms must be attached and are compulsory. Please attach your quotation separately

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

Mr. ALPHEUS NKUNA
For: Demand and Acquisition Management
Date: 08/08/ 2022
013 754 8066



Department of Agriculture, Land Reform and Rural Development · Departement van Landbou, Grondhervorming en Landelike Ontwikkeling
Muhasho wazwa Vhu- limi, Mbuedzedzo ya Mavu na Mveledziso ya Mahayani · uMnyango Wezolimo, Izinguquko Kwezomhlaba Nokuthuthukiswa
Kwezindawo Zasemakhaya · Ndzawulo ya Virimi, Antswiso wa Misava na Nhluvukiso wa Matikoxikaya · Litiko Letekulima, Tingucuko Kutemhlaba
Nekutfufukiswa Kwetindzawo Tasemaphandleni · UmNyango wezokuLima, ukuBuyiselwa kweNarha nokuThuthukiswa kweNdawo zemaKhaya
· Kgoro ya Temo, Peakanyoleswa ya Naga le Tlhabollo ya Dinaga · magae · Lefapha la Temothuo, Kabobotjha ya Naha le Tlhabollo ya Dibaka tsa
Mahae · Lefapha la Temothuo, Pusetso dinaga le Tlhabollo ya Metsemagae · ISebe lezoLimo, uBuyekezo lwemiHlaba noPhuhliso
lamaPhandle

TERMS OF REFERENCE FOR THE APPOINTMENT OF THE TRANSACTION ADVISOR FOLLOWING THE PROJECT FARM OSHOEK 454 IS ACQUIRED THROUGH PLAS; SITUATED WITHIN THE GERT SIBANDE DISTRICT MUNICIPALITY, IN THE MPUMALANGA PROVINCE.

Enquiries: Ms Z.F. Shongwe

1. PROJECT INFORMATION

- PORTION 0, 7, 9, 10 AND 14 OF THE FARM OSHOEK NO 454, REGISTRATION DIVISION IS,
 - PORTION 11 (A PORTION OF PORTION 3), PORTION 30 (A PORTION OF PORTION 6), PORTION 22 (A PORTION OF PORTION 19), PORTION 18 (A PORTION OF PORTION 1), R/E OF PORTION 1, PORTION 12 (A PORTION OF PORTION 3), R/E OF PORTION 19 (A PORTION OF PORTION 1), R/E OF PORTION OF PORTION 17 (A PORTION OF PORTION 1), PORTION 27 (A PORTION OF PORTION 3), R/E OF PORTION 7 (A PORTION OF PORTION 6) AND PORTION 31 (A PORTION OF PORTION 7) OF THE FARM UITZIGT NO. 450, REGISTRATION DIVISION IS,
 - R/E OF PORTION 1, PORTION 11 (A PORTION OF PORTION 1) OF THE FARM DE VEREENIGING NO. 448, REGISTRATION DIVISION IS,
 - R/E OF PORTION 1 OF THE FARM DRINKWATER NO. 451, REGISTRATION DIVISION IS,
 - R/E OF PORTION 0, 1, 2, 4 AND 9 OF THE FARM BRAKFORTEIN NO. 452, REGISTRATION DIVISION IS
 - AND PORTION 0 OF THE FARM KLIPKRAAL NO. 469, REGISTRATION DIVISION IS
- TOTAL EXTENT OF 6903.3149 HECTARES: SITUATED IN THE MSUKALIGWA LOCAL MUNICIPALITY WITHIN GERT SIBANDE DISTRICT MUNICIPALITY IN THE MPUMALANGA PROVINCE.

1. PURPOSE:

- 1.1 The Department of Rural Development and Land Reform would like to facilitate the appointment of Transaction Advisor to restructure and set up the business operation of the Oshoek properties acquired through Pro-active Land Acquisition Strategy (PLAS) and transferred to the State in year 2013.

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2. RATIONALE:

- 2.1 The objective of the appointment of the Transaction Advisory is to align all the transaction made of the business to promote transparency especially on the business transaction done on the daily basis at the Oshoek farm.
- 2.2 The State Land Lease and Disposal Policy that was approved on the 26th of March 2019 states that the lessee shall pay 1 % of the land cost. Based from the above mentioned; the properties mentioned above were purchased in year 2013 and on the sale agreement; parties agreed that; the lessee will form a partnership that will be between the lessee and the previous owner.
- 2.3 Since the formation of the joint venture, the Department has not been receiving rental amount from the joint venture hence very important that the transaction advisor gives thorough report on the day to day existing transaction and also advise on the working models that can be adopted going forward.
- 2.4 All commodities/Enterprises on the farm including enterprise budget per commodity must be covered on the report in detail. The business transactions must also cater for re-investment, maintenance of immovable, movables and biological assets on the farm(s) in question.

3. PROJECT SCOPE

The developed comprehensive Business Plan should include but not limited to the following elements:

- 3.1 Executive summary
- 3.2 Project Identification
 - 3.2.1 Project name and farmers contact details
 - 3.2.2 Legal status of business supported by relevant documentation
 - 3.2.3 Description of ownership structure of the farm including all legal entities involved

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- 3.2.4 Names of people
- 3.2.6 Location
- 3.2.7 Membership of the following groups: men, women, youth, people with disabilities
- 3.2.8 Description of current condition of housing on the farm
- 3.2.7 Description of current levels of provision of basic services
- 3.2.9 Social issues identified for the farm or project in the past
- 3.2.10 Project Information
 - Social details and living conditions
 - Any other required licences or servitudes registered against the property
 - Descriptive capability of the farm :
 - Total hectares of the farm
 - Size of arable hectare
 - Size of non-arable land
 - Size of irrigable land
 - Size of grazing land and its carrying capacity
 - Size of waste land
 - Size of land occupied by buildings and roads
 - Size of current cultivated and grazed land (where applicable), condition of the soil and pasture (in case of grazing land), Water rights status, EIA report (where applicable attach certificate)
 - Vision and Mission
 - **Current farm infrastructure, equipment's, machinery and biological assets**
 - Detailed production plan which also include volumes of produce
 - Operational/Farm management plan
 - SWOT analysis
 - Situational analysis
 - Business output (Direct and Indirect)

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- Skills development plan

- Marketing plan, Marketing analysis and Marketing strategy which should include but not limited to: specific target market (any letter of intent from such market), quality & quantities to the market , market price, promotion of produce/products, integration into value chain (new or existing).
- Human Resource plan
- Financial Analysis which includes CAPEX and OPEX:
 - Enterprise Budgets
 - Cash flow budgets for 5 years
 - Income statements for 5 years
 - 5 % of Annual Net Income
 - Balance sheet
 - Sensitivity analysis and Break-even points
 - Total project / farm budget
 - Total repayment of borrowed capital if any
- Conclusion

9 INSTRUCTION TO THE SERVICE PROVIDER

The report should cover the following:-

- The current land use and potential of the **properties**, However the compiler must provide both scenarios of the actual and projected annual net income over 5 years;
- An inventory of equipment (e.g. pumps, irrigation equipment, watering points and improvements (e.g. structures) and going concerns. Assets acquired with the property and any other after acquisition (if applicable).
- Detailed outline of all commodities on the farm including their financial implications and variable costs must conform to the agricultural pricing norms and standards excluding miscellaneous costs;

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- The contributing value of beneficial improvements made by the lessee and the partner since the time of allocation;
- To structure a business model for the joint venture business between the two parties through consultations with the partners;
- To establish the actual production on livestock and arable lands and any other activity; then compare them to the reported financial statements and make concrete recommendations based on forensic evidence.
- To investigate and verify on the two parties' contribution to the business and determine the share-holding;
- To analyze the income and the expenditure of the business;
- To assess and report on transactions of the business to-date and give opinion if these transactions were for the benefit of the business and who has been benefiting from such transactions;
- **To regulate and the Board of Directors' voting rights from each party;**
- To play a role of advisory services for the board on how should the business operate;
- To establish the required training for the farm worker to undergo;
- To workshop the farm workers on their rights in the joint venture and understanding business management;
- To produce a final report that will be submitted to the Department and have recommendation on the proposed business model, its findings, recommendations and outcomes.
- A joint 5 year projection plan indicating and outlining all enterprise budget and cash flows per commodity leading to the net income;
- Where there is any additional criteria to be covered not mentioned above, the Service Provider must ensure that it is included in the Business Plan being compiled ensuring that the potential of the farm is clearly outlined.

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10 PARTICIPATION

Through the use of various methods of participatory mechanisms and methodologies the lessee will be consulted to make inputs with regard to the development of the report. The Service provider will also explain in detail to the beneficiaries how the developed business transactions will be implemented to benefit them.

11 CONDITIONS OF SERVICE

The appointed service provider will be expected to meet with the responsible official(s) of the Department of Rural Development and Land Reform for the discussion of the Terms of Reference before starting with work.

12 PENALTY

Failure to comply with the specifications in the terms of reference by the service provider will result in non-payment thereof.

13 IMPLEMENTATION SCHEDULE

13.1 The Service Provider must submit the completed Business transaction report within the agreed time that will be stipulated upon appointment

13.2 The Service Provider will be expected to be available at the request of the Department of Rural Development to give further explanation on the Business Plan as part of the service at no extra cost.

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14 ANNEXURES

Aerial maps, photos, certificate of registration of boreholes or water rights, supplier contracts or delivery agreements, profit sharing agreements.

N.B. Should the Department of Rural Development and Land Reform requests an explanation of the Business Plan; the service provider must be willing to present him/herself at the Department's meeting to explain the Business transaction plan

15. CONCLUSION

The appointed service provider must contact the following official Zandile Felicia Shongwe at 071 856 0531 or felicia.shongwe@dairrd.gov.za

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

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

¹“State” means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

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

Any other particulars:
.....
.....
.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:
.....
.....
.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:
.....
.....
.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.
.....

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF
PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION
PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js914w 2

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

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

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

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

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

5. BID DECLARATION

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

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

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

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

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		

Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT _____ registration
number:.....

8.3 Company _____ registration
number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as
indicated in paragraph 1 of this form;

- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES
1.
2.

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