



TERMS OF REFERENCE FOR:

**APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A FEASIBILITY STUDY FOR VAAL MARINA
HOLIDAY AND BUSINESS DESTINATION (VMHBD)**

REFERENCE NUMBER: GTA/RFQ/2023/111

Released: 07 Feb 2023

Submissions Close: 13 Feb 2023

BEFORE 14H00PM

Queries be directed to:

Ms. Phakama Majola
Supply Chain Management
Bids@gauteng.net

Submissions must be e-mailed to:

Ms. Phakama Majola
Supply Chain Management
Bids@gauteng.net

1. INVITATION

- 1.1 Service provider (s) are invited to submit proposal to Gauteng Tourism Authority (GTA) to conduct feasibility study for Vaal Marina Holiday and Business Destination.

2. BACKGROUND

- 2.1 The development and planning within the Gauteng Tourism Authority is mandated to drive tourism infrastructure. The Gauteng government has various initiatives within the Gauteng Province, with an intended outcome of Inclusive and sustainable tourism growth. Sedibeng District Municipality has been identified as a destination that totally need the economic intervention with the objective of addressing its slow growth economically. The Gauteng government is currently undertaking the Special Economic zone (SEZ) initiatives aimed at stimulating Economic development of the Sedibeng District municipalities. This initiative has triggered other sectors to seize the opportunity to enhance the economic development of the district.
- 2.2 The Gauteng Tourism Authority intends to intervene in the economic development of the Sedibeng Municipality district by developing the first water-based holiday destination in the Vaal in support of the Vaal SEZ. This intervention will require that the Gauteng Tourism Authority conducting feasibility study, which will designed at exploiting different measures that will attract tourism customers, attract domestic investment as well as advanced technology that will enhance sector innovations.
- 2.3 Tourism industry is one of the fast-growing industries in the 21st century and its infrastructure is the key element of tourism development and the tourism industry's contribution to the GDP is impressive annual growth rate around 3.7 percent of South Africa.
- 2.4 The feasibility study will be able to determine the feasibility of the first water-based holiday destination in the Vaal that would enable tourists to have meaningful interaction with the local people, cultures, and the history of the destination at large. The aim of this intervention is to identify viable development opportunities based on an understanding of

the tourism and economic market forces perceived within the Sedibeng district municipalities and to broadly ensure that the VMHBD is incorporated as a working component of a wider economic system.

2.5 This intervention by the Gauteng Tourism Authority, it will proficiently make the determination with respect to the development of Sedibeng district municipality. The success of the destination, it will be dependent on the need of the visitors and visitors use a variety of facilities depending upon their priority. With proper analysis of the opportunities plan, necessary facilities that need to be implemented can be identified and the facilities generally include transport facilities; healthcare facilities; Water Management facilities; Waste management facilities and recreational facilities. Access to the stated is the important thing in creating an impression among tourists and the satisfaction of the tour program is measured by these facilities

2.6 The objectives of the study are as follows:

- A global market analysis driving the SEZ within the Tourism industry,
- A local market analysis of the SEZ on the Tourism industry purposed based;
- An analysis of the Tourism Industry and its value chain (inclusive of its key inputs);
- An analysis of natural resource development base and its value chain.
- The comparative and competitive advantages of SEZ purposed for Tourism Industry.
- The long-term viability of establishing a Tourism purposed SEZ in South Africa;
- Potential strengths, weaknesses, opportunities and threats that could affect the establishment of a SEZ purposed for Tourism industry (and its related sub-components) SEZ in South Africa.
- General socio-economic trends that could enhance the success of SEZ Tourism Purposed industry in South Africa and in Gauteng Province in particular.
- Key SEZ Vaal Marine and sub-components that must be beneficiated at the SEZ for its competitive advantage or success.
- Generic infrastructure information required to successfully deliver on a SEZ Vaal Marine Initiative.
- An assessment on the functionality and appropriateness of infrastructure existing on the land proposed for establishment SEZ Vaal Marine. This includes, transport,

environmental, energy, water, ICT, waste, community, and other requirements related to the establishment of the SEZ.

- An assessment of the market opportunities that exist for the establishment of the SEZ Vaal Marine in Gauteng Province; and
- Technological, legal, and environmental requirements that must be met for the establishment of SEZ Vaal Marine in Gauteng Province.

3. PROBLEM STATEMENT

3.1 The Sedibeng District space has a lot of potential, the administration within the Sedibeng District has been compromised by the governance and administrative challenges. The fact that the Vaal River is a water source for Gauteng and beyond. The district area holds significant natural features for tourism such as aqua-marine, fishing, and other sport events. is one of distinct features that dominates the Sedibeng municipality. The Suikerborsrand, Vaal River and Vaal Dam areas possess great opportunities to promote tourism in the region.

3.2 The Sedibeng District is under the section 139 of the Constitution and section 63 of water service Act due to their inability to properly execute and administer their constitutional mandate. Together with other support initiatives within the district from government and private sector, the One plan aims to reverse this picture and create a positive, long-term outlook based on the new common vision and aspiration of all government, stakeholders, and communities.

3.3 The district is not economically active therefore a need arose for GTA to conduct the feasibility study will be assist the district to develop the first water-based holiday destination in the Vaal in support of the Vaal SEZ.

4. FORMAL PRICE QUOTATION

4.1 The formal all-inclusive quotation (inclusive of VAT) should indicate the total costs that will be charged for the execution of the project.

4.2 The payment process be in accordance with the GTA procurement process, and its conditions will be discussed with the appointed service provider. A service level agreement will be signed between the service provider and the GTA.

5. DELIVERABLES/SPECIFICATION

5.1 The aim of this Terms of Reference is to source and appoint a service provider for the conduct feasibility study for Vaal Marina Holiday and Business Destination. The first phase of the intervention would be to conduct the feasibility study that will determine the viability of the Vaal Marina Holiday and business destination concept and also the infrastructural intervention with the purpose to enhance the socio-economic development of the city regions.

5.2 The feasibility study should be conducted in three levels before a business plan could be developed. The four levels are:

- Operational feasibility: Determine if the idea will work
- Technical Feasibility: Can it be Built or consolidated/ Integrated into one
- Economic Feasibility; will it make economic sense if it works? Will it generate the required profits?
- High level business plan/ framework if the concept is feasible

5.3 The above levels of feasibility will provide GTA and District a holistic perspective of all the issues, areas of intervention and assessment of probability of business success, give focus to the project, outline or narrow alternative, surface new opportunities through the investigative process, identify the reasons for not proceeding and enhance the probability success by addressing factors early on that could affect the project. This help provides quality information for decision making, help increase investment opportunities and securing funding from monetary sources.

5.4 The study should also include detailed information from various sources on the following:

- Details of the products and services offering (quality, competing products etc)
- Describing the Market supply and demand (Market study/analysis)

- Describing initial inputs and infrastructure support services (availability of good suppliers, packaging, marketing, road, water, electricity, Industrial Zone, business support centres), Special Economic Zone (SEZ)
- Location/ Place (access to Market, access to public infrastructure services, community outreach)
- Estimating Capital and operational costs
- Projection to Sales/ revenue and profit
- Extensive personal relationships with buyers and suppliers
- Factors that drive differentiation such as:
 - o Unique product features
 - o Unique product performance
 - o Exceptional services
 - o New technologies
 - o Quality of inputs
 - o Exceptional skills or experience
 - o Infrastructure projects that will assist in unleashing the high prospects for socio-economic development of the Vaal Marina business and holiday destination

5.5 The above feasibility scope information will assist to determine the viability of the Vaal Marina concept and will assist in unleashing the high prospects for socio-economic development of the Sedibeng District.

6. PROPOSAL SUBMISSION

6.1 Formal quotations (**inclusive of VAT**) should be accompanied by the following documents:

MANDATORY ADMINISTRATIVE COMPLIANCE DOCUMENTS (NB: FAILURE TO SUBMIT THE FOLLOWING DOCUMENTS WILL RESULT IN DISQUALIFICATION)

- SBD 4 - Declaration of Interest Form
- SBD 6.1 - Preferential Procurement Regulations 2022

NON - MANDATORY ADMINISTRATIVE COMPLIANCE DOCUMENTS (NB: FAILURE TO SUBMIT THE FOLLOWING DOCUMENTS WILL NOT RESULT IN DISQUALIFICATION)

- SARS PIN
- BBBEE Certificate / Sworn Affidavit signed by the deponent and stamped by the Commissioner of oath
- CSD Report
- Business Profile
- Identity Document

7. FUNCTIONALITY CRITERIA

7.1 The proposals will be assessed according to the following functionality criteria.

7.2 The service provider must ensure that the proposal addresses each aspect of the listed criteria below:

FUNCTIONALITY CRITERIA	TOTAL POINTS
<p>Important notes to the bidder:</p> <ul style="list-style-type: none">• The proposal will be evaluated in four (4) sections• Each of the four sections has an individual score• The four sections give a total of 100• The four sections are as follows:<ul style="list-style-type: none">o Section 1: Public sector experience of the service provider, with a total score of 10 pointso Section 2: Experience of key personnel who form part of the project team with a total score of 20 pointso Section 3: Methodology with a total score of 40 pointso Section 4: Experience in the conducting previous economic impact assessments of events and other significant events, with a total score of 30 points	
SECTION 1: PUBLIC SECTOR EXPERIENCE	

<p>Important notes to the bidder:</p> <p>Public sector experience must be aligned to similar work, which have been successfully concluded in the last six years.</p> <p>A section in the proposal must outline the public sector experience, including the date and the scope of work that was conducted, as well as the entity /client for which the work was undertaken.</p> <p>The maximum points a bidder can score in this section is 10 points.</p> <p>NB: Provide reference letters from the contactable public sector client for whom work of similar scope was successfully concluded. The letter must be in the company letterhead and must be signed by the delegated authority.</p>	10
<ul style="list-style-type: none"> • 0 to 3-years’ experience is 4 points • 4 and 5 years ‘s experience is 7 points • More than 5 years’ experience is 10 points 	
SECTION 2: EXPERIENCE OF KEY PERSONNEL WHO FORM PART OF THE PROJECT TEAM	
<p>Important notes to the bidder:</p> <p>For the project team, the points in this section will be scored as follows:</p> <ol style="list-style-type: none"> 1. A section in the proposal must outline the area of expertise for the project team as well as the number of years of the project team within the field economic impact assessment model and return on investments models on events 2. Please note: The bidders that they must only outline team members that have experience in the fields below. The maximum points a bidder can score in this section is 20 points 	20
<ul style="list-style-type: none"> • Operational feasibility study impact assessment : <ul style="list-style-type: none"> o 1 to 3-years’ experience is 4 points o 4 and 5 years ‘s experience is 8 points o More than 5 years’ experience is 10 points 	10
<ul style="list-style-type: none"> • Technical Feasibility study impact assessment : <ul style="list-style-type: none"> o 1 to 3-years’ experience is 2 points o 4 and 5 years ‘s experience is 4 points o More than 5 years’ experience is 5 points 	5

<ul style="list-style-type: none"> • Economic Feasibility assessments : <ul style="list-style-type: none"> o 1 to 3-years’ experience is 2 points o 4 and 5 years ‘s experience is 4 points o More than 5 years’ experience is 5 points 	5
SECTION3: METHODOLOGY	
<p>Important notes to the bidder:</p> <ol style="list-style-type: none"> 1. The sub-section will focus on how the bidder will approach the scope of work, that is, who will do what by when? How will the proposed methodology achieve the scope of work and the expected deliverables and outputs? 2. The bid submission must include a clear and detailed methodology that presents: <ol style="list-style-type: none"> a) Well defined chronological sequence of activities in executing the scope of work outlined in the TOR. b) All these activities must have completion dates as per project allocation. c) These activities must translate to the required deliverables as detailed in the SECTION 4 of the TOR 3. The methodology carries a total of 40 points. <ol style="list-style-type: none"> a) If a bidder meets all three requirements as set out in the bullet points above (2. a, b, and c) a full score of 40 will be given. b) If a bidder meets two requirements as set out in the bullet points above (2. a, b and c) then a score of 30 will be given. c) If a bidder meets only one requirement as set out in the bullet points above (2.a, b and c) a score of 20 will be given. d) If the methodology is not aligned to any of the requirements, then a score of 10 points will be allocated. 4. The service provider must demonstrate in their proposal their understanding and expertise of conducting feasibility studies and the development of business plan 5. This component of methodology will score a maximum of 40 points. 	40
SECTION 4: EXPERIENCE OF THE SERVICE PROVIDER IN CONDUCTING FEASIBILITY STUDIES AND BUSINESS DEVELOPMENT IN THE PRIVATE SECTOR	

<p>Important notes to the bidder:</p> <p>1. A section in the proposal must clearly indicate the service provider’s (as an organization) the number of years of experience in conducting feasibility studies and development of business plan. This must include the details of the entity /client for which the work was undertaken.</p> <p>2. The maximum points a bidder can score in this section is 30 points.</p>	30
<ul style="list-style-type: none"> • Experience in conducting feasibility studies <ul style="list-style-type: none"> o 0 to 5-years’ experience is 5 points o 5 and 10 years ‘s experience is 10 points o More than 10 years’ experience is 15 points 	
<p>Experience in developing business development</p> <ul style="list-style-type: none"> o 0 to 5-years’ experience is 5 points o 5 and 10 years ‘s experience is 10 points o More than 10 years’ experience is 15 points 	

Expected scores

A bidder that fails to obtain at least 75 points will not be considered for further evaluation in stage 3 (Price and Specific Goals).

8. CRITERIA FOR EVALUATION OF PROPOSALS

8.1 Criteria for evaluation are as follows:

- a) The service provider will be appointed in terms of the Preferential Procurement Regulations (2022).
- b) The proposal will be evaluated using the 80/20 preferential system wherein 80 represents price and 20 for specific goals.

SPECIFIC GOAL/S	EVIDENCE REQUIRED TO EARN POINTS	TOTAL POINTS ALLOCATION
Historically Disadvantaged individuals: <ul style="list-style-type: none"> • Race – Black = 5 points • Women = 5 points 	Identity document / Valid B-BBEE certificate / CSD Report	10
SMME (QSE / EME)	Valid B-BBEE certificate / Sworn Affidavit / CSD Report	10
TOTAL POINTS =		20

- c) 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.
- d) This RFQ is subject to the National Treasury General Conditions of Contract.

9. INVOICES

- a. Payments will be made against the delivered goods / services.
- b. Invoices must indicate the task and/or output and should include a short description of goods delivered.
- c. The GTA pays for work completed to the satisfaction of the agency. No upfront payments are made for work not yet done.
- d. All invoices must be addressed to Jeremiah@gauteng.net

10. RULES OF BIDDING

10.1 The rules of bidding for this assignment are as follows:

- a) The GTA reserves the right to withdraw or amend these terms of reference by notice in writing to all parties who have received the terms of reference before the closing date.
- b) The GTA reserves the right to negotiate prices with the preferred / recommended bidder.
- c) The GTA reserves the right not to appoint any service provider if the received proposals do not match its requirements.
- d) Service providers may ask for clarification via email on these terms of reference or any of its annexures up to 48 hours before the deadline for the submission of the bids.
- e) Any request for clarification must be submitted by email at Bids@gauteng.net and answers will be emailed to all service providers that require any clarity.
- f) The GTA reserves the right **NOT** to make an appointment for this project.
- g) The cost of preparing and submitting bids by prospective suppliers will be at the cost of the prospective supplier.
- h) The validity of the received bids shall be ninety (90) days.

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

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

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

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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.

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**

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. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the **80/20** preference point system.

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

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 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left(1 + \frac{Pt - Pmax}{Pmax} \right) \text{ or } Ps = 90 \left(1 + \frac{Pt - Pmax}{Pmax} \right)$$

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Historically Disadvantaged individuals: <ul style="list-style-type: none"> • Race – Black = 5 points • Women =5 points 	10	
SMME (QSE / EME)	10	
TOTAL POINTS =	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name _____ of company/firm.....

4.4. Company _____ registration _____ number: _____

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

 SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME:
DATE:
ADDRESS:

