



DEPARTMENT OF WATER AND SANITATION  
REPUBLIC OF SOUTH AFRICA

DUE AT 11:00 ON

12 FEBRUARY 2015 (CLOSING DATE)

**WD0485 WTE (Addendum 1)**

**APPOINTMENT OF PROFESSIONAL SERVICES PROVIDERS (PSP) TO RENDER PROFESSIONAL MULTI-DISCIPLINARY SERVICES COVERING: CIVIL, STRUCTURAL, MECHANICAL, ELECTRICAL ENGINEERING, ARCHITECTURAL SERVICES, ARCHAEOLOGICAL AND ENVIRONMENTAL SERVICES, CONTRACT AND PROJECT MANAGEMENT SERVICES FOR A PERIOD OF THREE (3) YEARS FOR THE DEPARTMENT OF WATER AND SANITATION (DWS)**

SUBMIT TENDER DOCUMENT

TO

POSTAL ADDRESS:  
DIRECTOR-GENERAL: WATER AND  
SANITATION  
PRIVATE BAG X 313  
PRETORIA,0001

OR

**TO BE DEPOSIT IN:**  
THE TENDER BOX AT THE ENTRANCE  
OF ZWAMADAKA BUILDING  
157 FRANCIS BAARD STREET  
(FORMERLY SCHOEMAN STREET)  
PRETORIA,0002

**TENDERER:** (Company address and stamp)

**COMPILED BY:  
DEPARTMENT OF WATER AND SANITATION:**

Terms of Reference



## 1. Background

- 1.1 *The legislative mandate of the Department of Water and Sanitation (DWS) seeks to ensure that the country's water resources are protected, managed, used, developed, conserved and controlled through regulating and supporting the provision of quality water and restore the dignity of people through sanitation. DWS is responsible for the development, operations, maintenance and rehabilitation of water resources infrastructure assets for the country. It distributes bulk (untreated/raw) water in terms of the National Water Act (No. 36 of 1998) to authorised users. The Department's responsibility is to design, develop, construct and maintain infrastructure assets comprising of dams, tunnels, pipelines, canals, pump stations, Waste Water Treatment Plants (WWTP's), Water Treatment Plants (WTP's), sanitation infrastructure, buildings and associated infrastructure that is positioned across Southern Africa.*
- 1.2 *The purpose of this tender is to appoint Professional Service Providers (PSP's) from proven experienced, qualified companies to render multi-disciplinary Professional Civil-, Structural-, Electrical-, Mechanical Engineering, Architectural and Project and Construction Management Services on an as-and-when required basis for a period of 3 years in water and sanitation infrastructure projects.*

## 2. Special Conditions

- ♦ *This appointment will be in addition to the existing panel of Consultants that was created in April 2013 by the then Department of Water Affairs. More than one service provider will be appointed to supply this service, i.e. a panel of service providers will be appointed for each category – see page 6 for a breakdown of each category.*
- ♦ *The Department retains the right to appoint other professional service providers (PSP) for some projects, but these appointments will be limited to 30% of the annual DWS budget to ensure an entry point for other PSPs during the three years.*
- ♦ *The Department reserves the right to appoint more than one company wherein an attempt is made to transfer skills from established companies to companies owned by Historically Disadvantaged Individuals (HDIs). In case such an appointment is done, performance management will be monitored on the basis of skills transfer plan that will be entered into at the beginning of the project.*
- ♦ *Tenderers to submit a tender to provide all the listed disciplines (Consortiums may be formed)*
  - 1 *Civil Engineering Services*
  - 2 *Structural Engineering Services*
  - 3 *Electrical Engineering Services*
  - 4 *Mechanical Engineering Services*
  - 5 *Architectural Services (if and when required)*
  - 6 *Project and Contract Management Services*
  - 7 *Environmental Services*
  - 8 *Archaeological Services*

No	Criteria for Category 3 (Established PSP's) (Projects valued R50.1 – R100 million)	POINTS ALLOCATION
1.	<b>Project Specific Expertise within the Employ of the Tenderer</b>	<b>Max 20</b>
	<b>Technical Expertise (CV's &amp; Qualification Certificates to be provided)</b> <i>Required expertise for this category:</i> Medium WTP's & WWTP's (5 - 10 ML); Small Reservoirs (up to 2,5ML), Pressure Towers; Bulk Water and Sewer pipelines; Road and Stormwater infrastructure; Project Auditing; Maintenance/Refurbishment; Water Infrastructure Rehabilitation; Building and Engineering Structures	
1.1	1 x Professional Engineer / Technologist (Structural)	4
1.2	1 x Professional Engineer / Technologist (Civil)	4
1.3	1 x Professional Engineer / Technologist (Electrical )	4
1.4	1 x Professional Engineer / Technologist (Mechanical)	4
1.5	1 x Professional Construction Project Manager	4
<b>2</b>	<b>Technical and Support Staff (minimum personnel as indicated)</b>	<b>Max 20</b>
2.1	1 x Technicians	4
2.2	2 x Draughts Persons / CAD Operators	2
2.3	Safety Agents	2
2.4	1 x Site Supervisors	3
2.5	1 x Administrative Staff	2
2.6	Architectural Technologist	1
2.7	Quantity Surveyor	2
2.8	Environmentalist	2
2.9	Archaeologist	2
<b>3</b>	<b>Infrastructure and Technology</b>	<b>Max 20</b>
3.1	Fully Operational Office including Computer Hardware	10
3.2	Required Registered Design and Drafting Software	10
<b>4</b>	<b>Labour Intensive Design and Construction Methods and SMME Development</b>	<b>Max 15</b>
4.1	Understanding Expanded Public Works Programme (EPWP) and Small Medium and Micro Enterprise (SMME) Development	5
4.2	Proof of NQF Level 7 accreditation: Develop and Promote Labour-based Construction Strategies	5
4.3	Proof of NQF Level 5 accreditation: Manage Labour Intensive Construction Projects	5
<b>5</b>	<b>Track Record, Experience (projects up to R80 million) and understanding of Water and Sanitation infrastructure projects at National, Provincial &amp; Municipal Level</b>	<b>Max 15</b>
5.1	National Experience	5
5.2	Provincial Experience	5
5.3	Municipal Experience	5
	<b>Total</b>	<b>90</b>
	<b>MINIMUM THRESHOLD</b>	<b>60</b>

No	Criteria for Category 4 (Established PSP's) (Projects valued R100.1 – R250 million)	POINTS ALLOCATION
<b>1.</b>	<b>Project Specific Expertise within the Employ of the Tenderer</b>	<b>Max 20</b>
	<b>Technical Expertise (CV's &amp; Qualification Certificates to be provided) )</b> <i>Required expertise for this category:</i> Medium WTP's & WWTP's (10-15 ML); Dams; Medium Reservoirs (up to 3,5ML); Pressure Towers; Bulk Water and Sewer pipelines; Road and Stormwater infrastructure; Project Auditing; Maintenance/Refurbishment; Water Infrastructure Rehabilitation; Buildings & Engineering Structures	
1.1	1 x Professional Engineer / Technologist (Structural)	4
1.2	2 x Professional Engineer / Technologist (Civil)	4
1.3	1 x Professional Engineer / Technologist (Electrical )	4
1.4	1 x Professional Engineer / Technologist (Mechanical)	4
1.5	1 x Professional Construction Project Manager	4
<b>2</b>	<b>Technical and Support Staff (minimum personnel as indicated)</b>	<b>Max 20</b>
2.1	2 x Technicians	4
2.2	2 x Draughts Persons / CAD Operators	2
2.3	1 x Safety Agents	2
2.4	2 x Site Supervisors	3
2.5	2 x Administrative Staff	2
2.6	Architectural Technologist	1
2.7	1 x Quantity Surveyor	2
2.8	Environmentalist	2
2.9	Archaeologist	2
<b>3</b>	<b>Infrastructure and Technology</b>	<b>Max 20</b>
3.1	Fully Operational Office including Computer Hardware	10
3.2	Required Registered Design and Drafting Software	10
<b>4</b>	<b>Labour Intensive Design and Construction Methods and SMME Development</b>	<b>Max 15</b>
4.1	Understanding Expanded Public Works Programme (EPWP) and Small Medium and Micro Enterprise (SMME) Development	5
4.2	Proof of NQF Level 7 accreditation: Develop and Promote Labour-based Construction Strategies	5
4.3	Proof of NQF Level 5 accreditation: Manage Labour Intensive Construction Projects (All site personnel NQF 5 qualified)	5
<b>5</b>	<b>Track Record, Experience (projects up to R200 million) and understanding of Water and Sanitation infrastructure projects at National, Provincial &amp; Municipal Level</b>	<b>Max 15</b>
5.1	National Experience	5
5.2	Provincial Experience	5
5.3	Municipal Experience	5
	<b>Total</b>	<b>90</b>
	<b>MINIMUM THRESHOLD</b>	<b>60</b>

No	Criteria for Category 5 (Established PSP's) (Projects valued R250.1 – R499 million)	POINTS ALLOCATION
<b>1.</b>	<b>Project Specific Expertise within the Employ of the Tenderer</b>	<b>Max 20</b>
	<b>Technical Expertise (CV's &amp; Qualification Certificates to be provided)</b> <i>Required expertise for this category:</i> <i>Water Infrastructure Assets; Dams; Large Reservoirs (up to 3,5ML); Pressure Towers; Bulk Water and Sewer pipelines &amp; Weirs; Large WTP's &amp; WWTP's (15-25 ML); Project Auditing; Maintenance/ Refurbishment; Water Infrastructure Rehabilitation; Buildings &amp; Engineering Structures; Road &amp; Stormwater Infrastructure.</i>	
1.1	2 x Professional Engineer / Technologist (Structural)	4
1.2	2 x Professional Engineer / Technologist (Civil)	4
1.3	1 x Professional Engineer / Technologist (Electrical )	4
1.4	1 x Professional Engineer / Technologist (Mechanical)	4
1.5	1 x Professional Construction Project Manager	4
<b>2</b>	<b>Technical and Support Staff (minimum personnel as indicated)</b>	<b>Max 20</b>
2.1	2 x Technicians	4
2.2	2 x Draughts Persons / CAD Operators	2
2.3	1 x Safety Agents	2
2.4	3 x Site Supervisors	3
2.5	2 x Administrative Staff	2
2.6	1 x Architectural Technologist	1
2.7	2 x Quantity Surveyors	2
2.8	Environmentalist	2
2.9	Archaeologist	2
<b>3</b>	<b>Infrastructure and Technology</b>	<b>Max 20</b>
3.1	Fully Operational Office including Computer Hardware	10
3.2	Required Registered Design and Drafting Software	10
<b>4</b>	<b>Labour Intensive Design and Construction Methods and SMME Development</b>	<b>Max 15</b>
4.1	Understanding Expanded Public Works Programme (EPWP) and Small Medium and Micro Enterprise (SMME) Development	5
4.2	Proof of NQF Level 7 accreditation: Develop and Promote Labour-based Construction Strategies (Minimum 2 x Engineers NQF 7 certified)	5
4.3	Proof of NQF Level 5 accreditation: Manage Labour Intensive Construction Projects (All site personnel NQF 5 certified)	5
<b>5</b>	<b>Track Record, Experience (projects up to R300 million) and understanding of Water and Sanitation infrastructure projects at National, Provincial &amp; Municipal Level</b>	<b>Max 15</b>
5.1	National Experience	5
5.2	Provincial Experience	5
5.3	Municipal Experience	5
	<b>Total</b>	<b>90</b>
	<b>MINIMUM THRESHOLD</b>	<b>70</b>

No	Criteria for Category 6 (Established PSP's) (Projects valued R500 million and higher)	POINTS ALLOCATION
<b>1.</b>	<b>Project Specific Expertise within the Employ of the Tenderer</b>	<b>Max 20</b>
	<b>Technical Expertise (CV's &amp; Qualification Certificates to be provided)</b> <i>Required expertise for this category:</i> <i>Water Infrastructure Assets; Dams; Hydro Power Stations; Large Reservoirs (up to 5ML); Pressure Towers; Bulk Water and Sewer Pipelines, Canals &amp; Weirs; Dam Safety Projects; Large WTP's &amp; WWTP's (25 ML and larger); Project Auditing; Maintenance/ Refurbishment; Water Infrastructure Rehabilitation; Buildings &amp; Engineering Structures; Road &amp; Stormwater Infrastructure.</i>	
1.1	2 x Professional Engineer / Technologist (Structural)	4
1.2	2 x Professional Engineer / Technologist (Civil)	4
1.3	2 x Professional Engineer / Technologist (Electrical )	4
1.4	2 x Professional Engineer / Technologist (Mechanical)	4
1.5	1 x Professional Construction Project Managers	4
<b>2</b>	<b>Technical and Support Staff (minimum personnel as indicated)</b>	<b>Max 20</b>
2.1	3 x Technicians	4
2.2	3 x Draughts Persons / CAD Operators	2
2.3	2 x Safety Agents	2
2.4	3 x Site Supervisors	3
2.5	3 x Administrative Staff	2
2.6	2 x Architectural Technologist	1
2.7	2 x Quantity Surveyors	2
2.8	1 x Environmentalist	2
2.9	Archaeologist	2
<b>3</b>	<b>Infrastructure and Technology</b>	<b>Max 20</b>
3.1	Fully Operational Office including Computer Hardware	10
3.2	Required Registered Design and Drafting Software	10
<b>4</b>	<b>Labour Intensive Design and Construction Methods and SMME Development</b>	<b>Max 15</b>
4.1	Understanding Expanded Public Works Programme (EPWP) and Small Medium and Micro Enterprise (SMME) Development	5
4.2	Proof of NQF Level 7 accreditation: Develop and Promote Labour-based Construction Strategies (Minimum 2 x Engineers NQF 7 certified)	5
4.3	Proof of NQF Level 5 accreditation: Manage Labour Intensive Construction Projects (All site personnel NQF 5 certified)	5
<b>5</b>	<b>Track Record, Experience (projects up to R500 million) and understanding of Water and Sanitation infrastructure projects at National, Provincial &amp; Municipal Level</b>	<b>Max 15</b>
5.1	National Experience	5
5.2	Provincial Experience	5
5.3	Municipal Experience	5
	<b>Total</b>	<b>90</b>
	<b>MINIMUM THRESHOLD</b>	<b>70</b>





**TENDER NO: WP0485WTE**

**TENDER FOR THE APPOINTMENT OF PROFESSIONAL SERVICES PROVIDERS (PSP)**

**PREFERENTIAL PROCUREMENT REGULATIONS 2011**

*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, 2011.**

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**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 R1 000 000 (all applicable taxes included); and*
- *the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).*

1.2 *The value of this bid is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the 90/10 system shall be applicable.*

1.3 *Preference points for this bid shall be awarded for:*

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

1.3.1 *The maximum points for this bid are allocated as follows:*

	<b>POINTS</b>
<b>1.3.1.1 PRICE (all tenderers score 90 – ECSA Tariff of Fees)</b>	...90....
<b>1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	...10.....
<b>Total points for Price and B-BBEE must not exceed</b>	<b>... 100...</b>

1.4 *Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid,*



*will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.*

- 1.5. *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.*

## **2. DEFINITIONS**

- 2.1 **“all applicable taxes”** *includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;*
- 2.2 **“B-BBEE”** *means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;*
- 2.3 **“B-BBEE status level of contributor”** *means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;*
- 2.4 **“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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;*
- 2.5 **“Broad-Based Black Economic Empowerment Act”** *means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);*
- 2.6 **“comparative price”** *means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;*
- 2.7 **“consortium or joint venture”** *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;*
- 2.8 **“contract”** *Error! Bookmark not defined. means the agreement that results from the acceptance of a bid by an organ of state;*
- 2.9 **“EME”** *means any enterprise with an annual total revenue of R5 million or less .*
- 2.10 **“Firm price”** *means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;*
- 2.11 **“functionality”** *means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;*
- 2.12 **“non-firm prices”** *means all prices other than “firm” prices;*
- 2.13 **“person”** *includes a juristic person;*
- 2.14 **“rand value”** *means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;*
- 2.15 **“sub-contract”** *means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;*
- 2.16 **“total revenue”** *bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based*

*Black Economic Empowerment Act and promulgated in the Government Gazette on 9 February 2007;*

- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

### **3. ADJUDICATION USING A POINT SYSTEM**

- 3.1 *The bidder obtaining the highest number of total points will be awarded the contract.*
- 3.2 *Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.*
- 3.3 *Points scored must be rounded off to the nearest 2 decimal places.*
- 3.4 *In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.*
- 3.5 *However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.*
- 3.6 *Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.*

### **4. POINTS AWARDED FOR PRICE – all tenderers will be awarded 90 points for price**

#### **4.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**

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

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

*Where*

*P<sub>s</sub> = Points scored for comparative price of bid under consideration*

*P<sub>t</sub> = Comparative price of bid under consideration*

*P<sub>min</sub> = Comparative price of lowest acceptable bid*

### **5. Points awarded for B-BBEE Status Level of Contribution**

- 5.1 *In terms of Regulation 5 (2) and 6 (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:*

<b>B-BBEE Status Level of Contributor</b>	<b>Number of points (90/10 system)</b>	<b>Number of points (80/20 system)</b>
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
<i>Non-compliant contributor</i>	0	0

- 5.2 *Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.*
- 5.3 *Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.*
- 5.4 *A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.*
- 5.5 *A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.*
- 5.6 *Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.*
- 5.7 *A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.*
- 5.8 *A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.*

## **6. BID DECLARATION**

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

**7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1**

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

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

**8 SUB-CONTRACTING**

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 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? YES / NO (delete which is not applicable)

**9 DECLARATION WITH REGARD TO COMPANY/FIRM**

9.1 Name of company/firm ..... :

9.2 VAT registration number : .....

9.3 Company registration number .....

9.4 TYPE OF COMPANY/ FIRM [TICK APPLICABLE BOX]

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

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....  
.....  
.....

9.6 COMPANY CLASSIFICATION [TICK APPLICABLE BOX]

- Manufacturer
- Supplier

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

9.7 Total number of years the company/firm has been in business? .....

9.8 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 contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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 BIDDER(S)

DATE:.....

ADDRESS:.....

.....

.....