**UShaka Marine World**

**RFQ No: AC 276**

**DESCRIPTION: DESIGN,SUPPLY,INSTALLATION,TESTING AND CERTIFICATION OF LIFTING SYSTEMS FOR COOLING TOWERS 1,2,3,4 AND 5 RE-ADVERT**

Quotations are hereby invited from service providers registered on the Central Supplier Database and eThekwini Supplier Portal for the **DESIGN,SUPPLY,INSTALLATION,TESTING AND CERTIFICATION OF LIFTING SYSTEMS FOR COOLING TOWERS 1,2,3,4 AND 5 RE-ADVERT** documents with detailed information are obtainable from uShaka Marine World website www.ushakamarineworld.com or eThekwini website www.durban.gov.za.

This quotation will be evaluated on administrative compliance, mandatory requirements, price and preference points in terms of the 80/20 preference point system as prescribed in the Preferential Procurement Policy Framework Act (No 5 of 2000) and Preferential Procurement Regulations of 2022 where 80/20 points system will be applied wherein 80 points are for price and 20 for specific goals and for this purpose the enclosed forms must be scrutinized, completed and submitted together with your detailed quotation.

Bidders are required to submit tax clearance or income tax reference number, security pin and TCC number.

Completed quotation documents in sealed envelopes endorsed **"RFQ: AC 276 DESIGN,SUPPLY,INSTALLATION,TESTING AND CERTIFICATION OF LIFTING SYSTEMS FOR COOLING TOWERS 1,2,3,4 AND 5 RE-ADVERT** must be deposited in the Entity's tender box located in the **Guest information centre** on or before the closing date, whereby quotations will be opened in public. Quotation envelopes that are not sealed and numbered will not be considered. Late quotations will not be accepted. The Entity is not obliged to award the lowest quotation or any quotation and reserves the right to cancel the bid.

All technical enquiries must be directed to Bandla Mnguni on 031 328 8017 or by email bmnguni@ushakamarineworld.co.za regarding SCM related procedures, kindly contact Andile Cele on 031328 8227 or by email acele@ushakamarineworld.co.za.

| | |
|---|---|
| **Compulsory Site Briefing** | **Yes** |
| **Date:** | **15 October 2026** |
| **Time:** | **10:30 am** |
| **Venue:** | **uShaka Marine World staff entrance ( Camperdown Road)** |

..... .....

**Closing date: 22 October 2026 @11:00am**

# PART A
# INVITATION TO BID

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (*Ushaka Marine World*) | | | | | |
|---|---|---|---|---|---|
| QUOTATION NUMBER: | 12/10/2026<br>RFQ AC 276 | CLOSING DATE: | 22 October 2026 | CLOSING TIME: | 11:00 AM |
| DESCRIPTION | **DESIGN,SUPPLY,INSTALLATION,TESTING AND CERTIFICATION OF LIFTING SYSTEMS FOR COOLING TOWERS 1,2,3,4 AND 5 RE-ADVERT** | | | | |
| **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AN D SIGN A WRITTEN CONTRACT FORM (MBD7).** | | | | | |

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX
SITUATED AT

| |
|---|
| **Guest information centre** |
| **1 King Shaka Avenue** |
| **UShaka Marine** |
| **Durban** |
| **4000** |

| **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 | | | | | | |
| TAX COMPLIANCE STATUS | TCS PIN: | | **OR** | CSD No: | | |
| ARE YOU THE ACCREDITED REPRESENTATIVE **IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?** | ☐Yes ☐No<br>[IF YES ENCLOSE PROOF] | | ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?** | ☐Yes ☐No<br>[IF YES, ANSWER PART B:3 ] | | |
| **TOTAL NUMBER OF ITEMS OFFERED** | | | **TOTAL BID PRICE** | **R** | | |
| **SIGNATURE OF BIDDER** | …… | | **DATE** | | | |
| **CAPACITY UNDER WHICH THIS BID IS SIGNED** | | | | | | |

| **BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:** | | **TECHNICAL INFORMATION MAY BE DIRECTED TO:** | |
|---|---|---|---|
| DEPARTMENT | Procurement | DEPARTMENT | Mechanical |
| CONTACT PERSON | Andile Cele | CONTACT PERSON | Bandla Mnguni |
| TELEPHONE NUMBER | 031 328 8227 | TELEPHONE NUMBER | 031 328 8017 |
| E-MAIL ADDRESS | acele@ushakamarineworld.co.za | E-MAIL ADDRESS | bmnguni@ushakamarineworld.co.za |

# PART B
# TERMS AND CONDITIONS FOR BIDDING

**1. BID SUBMISSION:**

1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE**

1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

**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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.

2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

**3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

| | | |
|---|---|---|
| 3.1. | IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | ☐ YES ☐ NO |
| 3.2. | DOES THE ENTITY HAVE A BRANCH IN THE RSA? | ☐ YES ☐ NO |
| 3.3. | DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | ☐ YES ☐ NO |
| 3.4. | DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? | ☐ YES ☐ NO |
| 3.5. | 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 ABOVE.**

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID**.
**NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE**.

SIGNATURE OF BIDDER:……..

CAPACITY UNDER WHICH THIS BID IS SIGNED: ……..

DATE:…….....

| STAGE ONE: ADMINISTRATION COMPLIANCE | | | | | |
|---|---|---|---|---|---|
| 1.1.1 | This phase consists of Mandatory administrative compliance evaluation of all proposals.<br>**a) Mandatory Requirements**<br>• Latest Proof of Central Supplier Database Registration (CSD Report). The service provider should be in good standing with the South African Revenue Services which will be verified on CSD.<br>• Fully Completed and signed MBD forms (MBD1, MBD4, MBD 6.1, MBD 8 and MBD 9)<br>• Offer to be Submitted on a Company Letterhead<br>• Valid letter of Good Standing (Coida)<br>• Active CIBD Grading – 1ME or Higher<br>• Minimum of two traceable reference letters/completion certificates for work carried out by contractor previously in the similar nature(must be signed and dated).<br><br>**Failure to provide any mandatory information required will result in the submission being deemed null and void and shall be considered non-responsive.**<br>**b) Non-Mandatory Requirement**<br>• Consolidated BBBEE Certificate for Consortium, Joint Venture, Trust (Issued by verification agency accredited by the South African Accreditation System)<br>• SARS TCS PIN<br>• Consortium, Joint Venture, Trust Agreement<br>• Public Liability to Be submitted within 48 hrs before awarded. | | | | |

**OUR REQUIREMENTS:**

- **Valid Public Liability Insurance of at least Five hundred thousand Rands (R500,000) to be provided by preferred bidder prior to the award**

**DESCRIPTION: APPOINTMENT OF A SERVICE PROVIDER FOR THE DESIGN, SUPPLY, INSTALLATION, TESTING AND CERTIFICATION OF LIFTING SYSTEMS FOR COOLING TOWERS 1, 2, 3, 4 AND 5.**

## 1. INTRODUCTION

Ushaka Marine World requires a suitably qualified and experienced lifting-equipment manufacturer/contractor to design, manufacture, supply, install, test and certify a lifting system for Cooling Towers 3 and 4.

The lifting system will be used for the safe removal, handling and installation of cooling tower motors, fans and associated components during maintenance activities.

The proposed system shall comprise structural I-beams, supporting steelwork with a minimum lifting capacity of 500 kg SWL.

The contractor shall provide a complete turnkey solution, including engineering design, fabrication, installation, corrosion protection, load testing, certification and commissioning. The final design shall be based on a site inspection and verification of existing dimensions and structural conditions.

Due to the coastal/marine environment, all materials and finishes shall be suitable for long-term corrosion protection.

## 2. SCOPE OF WORK

The service provider shall be responsible for the complete installation of the Cooling Tower 3 and 4 lifting systems, from site preparation through to final commissioning and handover.

The work shall include, but not be limited to, the following:

### 2.1 Site Preparation

- Attend a site inspection and confirm all dimensions, beam spans, support locations and installation requirements.
- Confirm the condition and suitability of the existing structures where the lifting system will be mounted.
- Establish safe access to the work area.
- Protect existing equipment, cooling towers and surrounding structures from damage during the works.
- Provide all necessary access equipment, tools, lifting equipment and temporary supports required for the installation.
- Establish suitable barricading and exclusion zones around the work area.

### 2.2 Manufacture and Preparation

- Manufacture the I-beams, support brackets, mounting plates, stiffeners and associated steelwork in accordance with the approved engineering drawings.
- Drill all required holes and prepare connection points for site installation.
- Fabricate all brackets and supports required to mount the lifting beams.

- Complete welding and fabrication work in accordance with approved drawings and engineering requirements.
- Apply the specified corrosion protection to all fabricated steelwork.
- Mark and identify all lifting equipment and components prior to delivery to site.

### 2.3 Delivery and Installation

- Deliver all fabricated steelwork, lifting equipment and accessories to site.
- Offload and safely position all materials.
- Set out the exact mounting positions for the lifting system.
- Drill concrete/steel structures where required for installation of anchors and fixing bolts.
- Install support brackets, plates, beams and associated steelwork.
- Install all structural bolts, anchors, nuts, washers and other fixing components.
- Complete site welding where required and approved.
- Install all required lifting points and accessories.
- Ensure the lifting beams are correctly aligned, levelled and securely fixed.
- Check that the chain blocks operate correctly and have adequate lifting clearance.
- Make all final adjustments required for safe operation.

### 2.4 Electrical/Mechanical Services Protection

- Ensure that drilling, welding and installation activities do not damage existing mechanical, electrical or structural services.
- Identify and protect existing services before drilling or cutting.
- Seal or protect drilled holes and penetrations as required.
- Remove all metal debris, welding slag and construction waste from the work area.

### 2.5 Testing and Commissioning

- Carry out a complete visual inspection of the installed lifting system.
- Check all bolts, welds, brackets, supports and fixing points.
- Check beam alignment and level.
- Check crawl operation and travel.
- Check chain block operation.
- Carry out the required load test.
- Rectify any defects identified during testing.
- Complete final inspection and commissioning.

### 2.6 Completion and Handover

- Touch up any damaged galvanizing or protective coating resulting from installation.
- Apply final safety markings and SWL identification.
- Remove all temporary supports, tools, equipment and waste from site.
- Clean and leave the work area in a safe and acceptable condition.
- Submit load-test certificates and inspection certificates.
- Submit structural engineer's certification.
- Submit equipment certificates for chain blocks and beam trolleys.
- Submit final as-built drawings.
- Provide operation and maintenance information.
- Demonstrate the completed lifting system to Ushaka Marine World personnel.
- Hand over the completed and certified lifting system to Ushaka Marine World.

## 3.PRELIMINARY TECHNICAL REQUIREMENTS

| Item | Requirement |
|---|---|
| Application | Cooling Tower 3 & 4 maintenance |
| Cooling Tower 3 Dimensions | Approximately 10 m × 10 m footprint × 10 m high |
| Cooling Tower 4 Dimensions | Approximately 10 m × 10 m footprint × 10 m high |
| Cooling Tower 1 Dimensions | Approximately 5 m footprint x 5m high |
| Cooling Tower 2 Dimensions | Approximately 5 m footprint x 5m high |
| Cooling Tower 5 Dimensions | Approximately 5 m footprint x 5m high |
| Lifting Capacity | Minimum 500 kg SWL |
| Beam | Structural I-Beam |
| Preliminary Beam | UB 305 × 165 × 40 |
| Material | S355 Structural Steel or approved equivalent |
| Environment | Coastal/marine |

**Note:** The above dimensions and beam size are preliminary and shall be verified by the contractor during the site inspection. The contractor/manufacturer shall determine the final beam size, span, support arrangement, mounting method and lifting height based on actual site measurements and engineering calculations.

The lifting system shall provide sufficient clearance to safely remove and install the cooling tower motors, fans and associated components without interference with the cooling tower structure or surrounding equipment.

**Important:** The above beam size is preliminary only. The contractor/manufacturer must verify the actual span, supports, loads and dimensions on site and determine the final beam size and structural arrangement by engineering calculation.

## 4. ENGINEERING AND SAFETY

The complete system shall be designed for a minimum 500 kg SWL, including consideration of:

- Suspended load.
- Beam, trolley and chain block weight.
- Dynamic/impact loading.
- Beam deflection.
- Support and connection loads.
- Existing structural capacity.

All structural connections, supports, welds and bolts shall be suitably designed and certified by a competent engineer.

## 5. CORROSION PROTECTION

Due to the coastal environment, the structural steelwork shall have suitable long-term corrosion protection.

Minimum requirement:

- Hot-dip galvanizing to ISO 1461.
- Suitable marine-grade coating system over the galvanized steel where required.
- Safety Yellow finish with Black hazard marking where applicable.

The contractor shall submit the proposed coating system for approval.

**6. WARRANTY**

Minimum 12-month warranty covering:

- Structural steelwork.
- Lifting equipment.
- Connections.
- Workmanship.
- Corrosion protection.

**7.** Quotation should be as follows:

| Item no. | Description | Quantity |
|---|---|---|
| 1. | Design, manufacture, supply and installation of complete I-beam lifting system. | 05 |
| 2. | Load testing, inspection, certification and commissioning | 05 |

## DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state[1].

2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

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

3.1 Full Name of bidder or his or her representative:……..

3.2 Identity Number: …….

3.3 Position occupied in the Company (director, trustee, hareholder[2]):……..

3.4 Company Registration Number: …….

3.5 Tax Reference Number:……

3.6 VAT Registration Number: ……

3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars. ….……

……..

'MSCM Regulations: "in the service of the state" means to be –

(a) a member of –
  (i) any municipal council;
  (ii) any provincial legislature; or
  (iii) the national Assembly or the national Council of provinces;

(b) a member of the board of directors of any municipal entity;
(c) an official of any municipality or municipal entity;
(d) an employee of 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);
(e) a member of the accounting authority of any national or provincial public entity; or
(f) an employee of Parliament or a provincial legislature.

[2] Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

3.9 Have you been in the service of the state for the past twelve months? ……**YES / NO**

3.9.1 If yes, furnish particulars.……..……..
……

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with

the evaluation and or adjudication of this bid? …… **YES / NO**

3.10.1 If yes, furnish particulars.

……
……

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.11.1 If yes, furnish particulars

……
……

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.12.1 If yes, furnish particulars.

……
……

3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.13.1 If yes, furnish particulars.

……
……

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. **YES / NO**

3.14.1 If yes, furnish particulars:

……
……

4. *Full details of directors / trustees / members / shareholders.*

| **Full Name** | **Identity Number** | **State Employee Number** |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

…….. ……..

**Signature** **Date**

……. ……

**Capacity** **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**

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## 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**

(*delete whichever is not applicable for this tender*).

a) The applicable preference point system for this tender is the 90/10 preference point system.

b) The applicable preference point system for this tender is the 80/20 preference point system.

c) The 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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** |

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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:

**80/20**

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

### 3.2.1. POINTS AWARDED FOR PRICE

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

**80/20**

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

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 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 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 the 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) |
|---|---|---|
| Race: Black | 0% | 0 |
| | >0% and 51% | 8 |
| | ≥51% and <100% | 15 |
| | 100% | 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.

| |
|---|
| ……<br>**SIGNATURE(S) OF TENDERER(S)**<br><br>**SURNAME AND NAME**: ……<br>**DATE:** ……<br>**ADDRESS**: ……<br>……<br>……<br>…… |

**IMPORTANT NOTICE**

**By applying to this advert you hereby acknowledge that you have read and accept the following Protection of Personal Information ACT (POPIA) disclaimer:**

**I hereby consent for Durban Marine Theme Park to process my personal information as part of the procurement process. Durban Marine Theme Park shall take all reasonable measures to protect the personal information of applicants and for the purpose of this disclaimer "personal information" shall be defined as detailed in the Protection of Personal Information Act, Act 4 of 2013 ("POPIA").**

## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1 This Municipal Bidding Document must form part of all bids invited.

2 It serves as a declaration to be used by municipalities and municipal entities 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 rejected if that bidder, or any of its directors have:

a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
b. been convicted for fraud or corruption during the past five years;
c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

**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 *audi alteram partem* rule was applied).<br><br>**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 ☐ | No ☐ |
| 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)?<br>**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 ☐ | No ☐ |
| 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 of law outside the Republic of South Africa) for fraud or corruption during the past five years? | Yes ☐ | No ☐ |
| 4.3.1 | If so, furnish particulars: | | |

| Item | Question | Yes | No |
|---|---|---|---|
| 4.4 | Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months? | Yes ☐ | No ☐ |
| 4.4.1 | If so, furnish particulars: | | |
| 4.5 | Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract? | Yes ☐ | No ☐ |
| 4.7.1 | If so, furnish particulars: | | |

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME) ……..……..……**

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS**

**DECLARATION FORM 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 (MBD) must form part of all bids[1] 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 MBD 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 (MBD 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:

**RFQ AC 276: DESCRIPTION: DESIGN,SUPPLY,INSTALLATION,TESTING AND CERTIFICATION OF LIFTING SYSTEMS FOR COOLING TOWERS 1,2,3,4 AND 5 RE-ADVERT**

(Bid Number and Description) in response to the invitation for the bid made by:

_USHAKA MARINE WORLD_____

(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 consortium[3] 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.

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

**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.**