Supply of 18 ton of railway lines

1. Introduction

The SAEON Egagasini Node have initiated a long-term mooring array project off the east coast of South Africa, with two shelf and four tall moorings planned for deployment in April 2015. The project is designed to monitor in the long-term the dynamic changes of the Agulhas Current, with particular reference to the salt, heat and volume transport of this powerful western boundary current and the impacts it has on the climate and coastal inshore regions.

For the mooring deployments to be successful, counter-balance weights are needed to hold the moorings in place on the seafloor. This will be done using large concrete blocks, but will be augmented by railway lines from discarded railway track sections, cut into 1 m lengths for ease of use.

2. Performance specifications

2.1 Objective and Purpose

This call is for 18 tons of 1 m railway line lengths to be delivered to our East Pier workshop for use on this mooring cruise.

2.2 Outcomes to be achieved

- Available stock: 18 tons of railway line
- Railway lengths will need to be cut into manageable 1 m lengths
- Railway lengths delivered to the East Pier workshop

2.3 Scope of work

- Ensure stock available: 18 tons of railway line
- Railway lengths need to be cut at the suppliers workshop into manageable 1 m lengths (weighing approximately...
40 kg each)

- Railway lines need to be delivered to the East Pier workshop in preparation of the cruise taking place in April 2015.

### 2.4 Approach

- All railway line should be cut to 1 m lengths for ease of use and transport to East Pier workshop
- This cutting will need to be facilitate on site at the suppliers workshop before being delivered
- Contact needs to be made with the technician in charge of mooring preparation to ensure space is made to store the railway line and also to assist with unloading. Please advise whether a forklift is available on the truck, or if will be needed on site at East Pier workshop.

#### 2.5 Deliverables

Delivery on the above outcomes (sections 2.2 & 2.3) must be to the satisfaction of the project leader.

### 3. Conditions of the contract being awarded & evaluation of quote

#### 3.1 Conditions

- The service provider shall **submit a detailed project quote along with the completed bid documents**.
- The service provider has to submit a list of at least two references that can be contacted by SAEON.
- By agreeing to sign the contract, prospective service providers agree that their company possesses the necessary skills and equipment to complete the task according to requirements.
- The service provider shall present a detailed invoice. Payment shall take place once these documents have been submitted.
- The service provider will be accountable to the SAEON Egagasini Node Manager.

#### 3.2 Evaluation

- Potential service providers will firstly be evaluated on the content of their submissions. Potential service providers that qualify will then be evaluated on price. The scoring of submissions shall take place as follows:
  - Stock available and 1 m lengths of rail can be cut to make up 18 tons – 6 points.
  - References – 2 points (two references required, 1 point for each reference that gives favourable feedback)
  - Provided a total cost (YES/NO)
  - Agree that your company/organization has the capacity to complete the task (YES/NO)
  - Agree that you will submit a detailed invoice (YES/NO)
  - Agree that you will be accountable to SAEON Egagasini Node Manager (YES/NO)

In order to qualify, a service provider’s submission has to score at least 6 out of 8 points and score a “YES” on all the “YES/NO” statements.
• All service providers that scored 6 or more out of 8 and four “YES” scores will qualify and thereafter be evaluated on PRICE in addition to the PREFERENTIAL PROCUREMENT specifications set out elsewhere in this document.
• Prospective service providers are encouraged to submit valid Tax Clearance certificates and BEE certificates if available.

4. SAEON Inputs
• SAEON will cover the fee agreed upon with the supplier.
• SAEON will provide any relevant documentation, information and contact details.
• SAEON staff members will make themselves available, or appoint a technician, to be available for delivery of the railway lines.

5. Time Frames

The railway lines need to be ready for a cruise leaving Cape Town harbor in April 2015. Delivery should thus be by mid-March to allow for mooring fabrication and preparation.

6. Closing Date

The closing date for submission of responses is Friday, 28 February 2015, 12h00. Quotes can be submitted to SAEON at the following address:

SAEON Egagasini Node, 5th floor, Foretrust Building, Martin Hammeschlag Way, Cape Town, 8001.

For further information, contact Ms Tammy Morris – (021) 402 3118, 082 509 1713, tammy@saeon.ac.za
The quotation is provided on the attached SBD3 Quotation form as issued by the National Research Foundation.

“BID” Definition - “bid” includes written price quotations, advertised competitive bids or proposals

Validity period from date of closure: 30 days

Preferential Procurement System applicable (points for price : points for procurement preference):

80:20 or 90:10.

This quotation is subject to the Preferential Procurement Policy Framework Act and its 2011 Regulations, includes the National Treasury General Conditions of Contract available on the NRF website and on the National Treasury website.

Acceptance of this quotation is through receipt of a duly authorised and signed written offer form (SBD7 Contract Form) from the National Research Foundation.

It is acknowledged that late quotations are not considered.

Quotations are submitted on the National Treasury official forms with additional information supplied on attached supporting schedules.

NAME OF SERVICE PROVIDER

REPRESENTED BY

POSTAL ADDRESS

PHYSICAL ADDRESS

TELEPHONE NUMBER  CODE  NUMBER

CELL PHONE NUMBER  CODE  NUMBER

E-MAIL ADDRESS

VAT REGISTRATION NUMBER

COMPANY REGISTRATION NUMBER

DESCRIBE PRINCIPAL BUSINESS ACTIVITIES:

TYPE OF COMPANY/FIRM [Tick applicable box]

Partnership/Joint Venture/Consortium

One person business/sole proprietor

Close Corporation

Company

(Pty) Limited

Other

COMPANY CLASSIFICATION [Tick applicable box]

Page 4 of 11
1. **PREFERENCE POINTS CLAIMED (SBD 6.1)**

In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points are claimed for attaining the B-BBEE status level of contribution in accordance with the table set out below:

<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor per B-BBEE Certificate</th>
<th>Number of points per system</th>
<th>B-BBEE Status Level of Contributor per B-BBEE Certificate</th>
<th>Number of points per system</th>
</tr>
</thead>
<tbody>
<tr>
<td>90/10</td>
<td>80/20</td>
<td>90/10</td>
<td>80/20</td>
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<tr>
<td>1</td>
<td>10</td>
<td>20</td>
<td>6</td>
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<tr>
<td>2</td>
<td>9</td>
<td>18</td>
<td>7</td>
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<td>3</td>
<td>8</td>
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<tr>
<td>5</td>
<td>4</td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>

**B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF THE ABOVE TABLE:**

<table>
<thead>
<tr>
<th>Level</th>
<th>=</th>
<th>80:20</th>
<th>90:10</th>
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<tbody>
<tr>
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<td>=</td>
<td></td>
<td></td>
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</tbody>
</table>

(Points claimed are 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] which is on file with you through our supplier registration on your supplier database and is available if required for validation).
I/we, the undersigned, who is/are duly authorized to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contribution 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 the SBD6.1.

iii. In the event of a contract being awarded as a result of points claimed as shown above, the contractor has filed the documentary proof in the NRF supplier database when registered and, upon request, furnish documentary proof to the satisfaction of the NRF that the claims are correct;

iv. I/we acknowledge that 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 NRF may, in addition to any other remedy it may have –
   a) Disqualify the contractor from the bidding process;
   b) Recover costs, losses or damages it has incurred or suffered as a result of our 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 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 ten (10) years, after the audi alteram partem (hear the other side) rule has been applied; and forward the matter for criminal prosecution.

2. **SUB-CONTRACTING (STANDARD BIDDING DOCUMENT 6.1)**

<table>
<thead>
<tr>
<th>Will any portion of the contract be sub-contracted?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>If Yes, indicate:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i) What percentage of the contract will be subcontracted?</td>
<td>%</td>
<td></td>
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<tr>
<td>(ii) The name of the sub-contractor?</td>
<td></td>
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<tr>
<td>(iii) The B-BBEE status level of the sub-contractor?</td>
<td></td>
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<tr>
<td>(iv) Whether the sub-contractor is an EME?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

I/we, the undersigned, who is/are duly authorised to do so on behalf of the company/firm, certify that the information is true and correct and I/we acknowledge that:

i. A Bidder 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.

ii. A Bidder 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 Bidder concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

3. **DECLARATION OF INTEREST (SBD 4)**

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

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

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

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Name of Bidder or his/her representative</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Identity Number:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Position occupied in the Company (director, trustee, shareholder², member):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Registration number of company, enterprise, close corporation, partnership agreement or trust:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tax Reference Number:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>VAT Registration Number:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The names of all directors/trustees/shareholders/members, their individual identity numbers, tax reference numbers and, if applicable, employee/PERSAL numbers must be indicated in a separate schedule including the following questions:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schedule attached with the above details for all directors/members/shareholders</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Are you or any person connected with the Bidder presently employed by the state? If so, furnish the following particulars in an attached schedule:</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Name of person/ director/ trustee/ shareholder/member:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name of state institution at which you or the person connected to the Bidder is employed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Position occupied in the state institution</td>
<td></td>
<td></td>
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<tr>
<td>------------------------------------------</td>
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<tr>
<td>Any other particulars:</td>
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</tbody>
</table>

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

  - **Yes**  
  - **No**

- **Did you or your spouse or any of the company’s directors/ trustees/shareholders/members or their spouses conduct business with the State in the previous twelve months?**  
  - If so, furnish particulars as an attached schedule:

  - **Yes**  
  - **No**

- **Do you, or any person connected with the Bidder, have any relationship (family, friend, other) with a person employed by the State and who may be involved with the evaluation and or adjudication of this Bid?**  
  - If so, furnish particulars as an attached schedule.

  - **Yes**  
  - **No**

- **Are you, or any person connected with the Bidder, aware of any relationship (family, friend, other) between any other Bidder and any person employed by the State who may be involved with the evaluation and or adjudication of this Bid?**  
  - If so, furnish particulars as an attached schedule.

  - **Yes**  
  - **No**

- **Do you or any of the directors/trustees/shareholders/members of the company have any interest in any other related companies whether or not they are bidding for this contract?**  
  - If so, furnish particulars as an attached schedule.

  - **Yes**  
  - **No**
4. DECLARATION OF BIDDER’S PAST SCM PRACTICES (SBD 8)

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>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? If Yes, furnish particulars as an attached schedule:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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)? If Yes, furnish particulars as an attached schedule:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Was the Bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years? If Yes, furnish particulars as an attached schedule:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Was any contract between the Bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract? If Yes, furnish particulars as an attached schedule:</td>
<td></td>
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</table>

The Database of Restricted Suppliers and Register for Tender Defaulters 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.

5. CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

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

<table>
<thead>
<tr>
<th>Statement</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>I have read and I understand the contents of this Certificate;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I understand that the Bid will be disqualified if this Certificate is found not to be true and complete in every respect;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I am authorised by the Bidder to sign this Certificate, and to submit the Bid, on behalf of the Bidder;</td>
<td></td>
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</tr>
<tr>
<td>Each person whose signature appears on the Bid has been authorised by the Bidder to determine the terms of, and to sign, the Bid on behalf of the Bidder;</td>
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</tbody>
</table>

For the purposes of this Certificate and the accompanying Bid, I understand that the word “competitor” shall include any individual or organisation, other than the Bidder, whether or not affiliated with the Bidder, who:

a) Has been requested to submit a Bid in response to this Bid invitation;
b) Could potentially submit a Bid in response to this Bid invitation, based on their qualifications, abilities or experience; and
c) Provides the same goods and services as the Bidder and/or is in the same line of business as the Bidder

The Bidder has arrived at the accompanying Bid independently from, and without consultation,
communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium\(^3\) will not be construed as collusive bidding.

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

a) Prices;

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

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

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

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

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

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

The terms of this Bid have not been, and will not be, disclosed by the Bidder, directly or indirectly, to any competitor, prior to the date and time of the official Bid opening or of the awarding of the contract.

I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to Bids and contracts, Bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of Section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation

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

6. **STANDARD BIDDING DOCUMENTS DECLARATION**

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

- Declaration of Interest (SBD4)
- Original Tax Clearance Certificate unless already on file with the NRF
- Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011 (SBD6.1)
- Where a valid BBBEE Certificate is not on file with the NRF, please attach
The obligation to complete, duly sign and submit these declarations included in this SBD declaration pack cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the legal entity.

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

I certify that the information furnished in these declarations (Tax compliance status, SBD4, SBD5 where applicable, SBD6.1, SBD8, SBD9) is correct and I accept that the NRF may reject the Offer or act against me should these declarations prove to be false.

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

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