

ADDENDUM NO.1 REQUEST FOR PROPOSAL (RFP) DOCUMENT

DESCRIPTION	PROVISION OF SERVICES FOR EMPLOYEE TRANSPORTATION AT VLAKFONTEIN MINE FOR A PERIOD OF THIRTY-SIX (36) MONTHS.
Bid number:	AE/VLAK011/2021
Bid Issue Date	10 May 2021
Bid Available	This RFP may be downloaded directly from Publication Portal at African Exploration Mining and Finance Corporation at www.aemfc.co.za .
Briefing Session	A compulsory pre-proposal RFP briefing will be conducted at VLAKFONTEIN MINE on the 25 May 2021, at 11:00am for a period of ± 2 hours. The briefing session will start punctually, and information will not be repeated for the benefit of Respondents arriving late. All interested bidders must register their interests by completing “Registration of Prospective Bidders Form” that will be attached on the advertisement and return to tender@aemfc.co.za by 20 May 2021 to allow AEMFC to make arrangements for the virtual briefing session. Bidders are expected to fill in and sign the “Certificate Of Briefing Session Attendance” during the briefing session together with the signature of AEMFC representative. The signed form shall form part of the tender submission. Failure for a bidder to submit the certificate before tender closing will result in the bid to being non-responsive. <i>Failure to submit “REGISTRATION OF PROSPECTIVE BIDDERS FORM” for the briefing session attendance by 20 May 2021 will lead to bidder not being able to attend RFP briefing.</i>
Closing Date	15 June 2021 REVISED CLOSING DATE : 22 June 2021
Closing Time	12:00pm: Bidders must ensure that bids are delivered timeously to the correct address. As a general rule, if a bid is late or delivered to the incorrect address, it will not be accepted for consideration.
Clarification on enquiry documents	Bidders will notify the AEMFC of any clarifications required before the closing time for clarification queries, which is 03 working days before the deadline for tender submission.
Bid validity period:	12 weeks. Bidders are to note that they may be requested to extend the validity period of their bid, at the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s) bid will be deemed to remain valid until a final contract has been concluded.
Delivery Instructions By Hand	Bid documents should be deposited in the Bid Box situated at: African Exploration Mining and Finance Corporation (SOC) Ltd Building 1, 1st Floor 74 Waterfall Drive Waterfall City Gauteng 2090 Access to the Bid Box is limited to the following hours: Monday to Friday: 08:30 to 16:00 Late Tenders will not be accepted Bidders must ensure that bids are delivered on time to the correct address. Bids received late shall not be accepted for consideration. All Bids must be submitted on the official forms provided by AEMFC – (not to be modified)

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PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	AE/VLAK011/2021	CLOSING DATE:	15 June 2021	CLOSING TIME:	12H00
DESCRIPTION	PROVISION OF SERVICES FOR EMPLOYEE TRANSPORTATION AT VLAKFONTEIN MINE FOR A PERIOD OF THIRTY-SIX (36) MONTHS.				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
African Exploration Mining and Finance Corporation (SOC) Ltd					
Building 1, 1 st Floor					
74 Waterfall Drive					
Waterfall City					
Gauteng					
2090					
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					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	☐ Yes ☐ No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	☐	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	☐	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	☐	A REGISTERED AUDITOR NAME:			
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY	AEMFC SOC LTD	CONTACT PERSON	Lulama Mangena
CONTACT PERSON	Lulama Mangena	TELEPHONE NUMBER	010 010 6100
TELEPHONE NUMBER	010 010 6100	FACSIMILE NUMBER	N/A
FACSIMILE NUMBER	N/A	E-MAIL ADDRESS	LulamaM@aemfc.co.za
E-MAIL ADDRESS	LulamaM@aemfc.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. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION. 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS) MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION. 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR 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 TAX COMPLIANCE STATUS (TCS) 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 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID. 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST

SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.

- 2.6 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 BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

1 TERMS OF REFERENCE (Confidential Information Disclosure Notice)

- 1.1 This document may contain confidential information that is the property of African Exploration Mining and Finance Corporation (AEMFC) SOC Ltd.
- 1.2 No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this bid, without prior written permission from African Exploration Mining and Finance Corporation SOC Ltd.
- 1.3 All copyright and intellectual property herein vests with African Exploration Mining and Finance Corporation SOC Ltd.

2 INTRODUCTION

- 2.1 African exploration Mining and Finance Corporation SOC Ltd (AEMFC) currently procure their Staff Transport Service requirements through a Service Providers. AEMFC objective is to source all activity through Preferred Supplier (s) capable of servicing all AEMFC staff transportation requirements for the Vlakfontein Mine in locations around the Mpumalanga Province. Other key considerations include the Contractors, Capability capacity and adherence to (without limitation) Legal, Safety aspects.
- 2.2 It also seeks to improve its current processes for provision of these Services to its end user community throughout its locations.
- 2.3 The selected service provider(s) will share in the mission and business objectives of AEMFC. These mutual goals will be met by meeting contract requirements and new challenges in an environment of teamwork, joint participation, flexibility, innovation and open communications. In this spirit of partnership, AEMFC and its Supplier(s) will study the current ways they do business to enhance current practices and support processes and systems. Such a partnership will allow AEMFC to reach higher levels of quality, service and profitability.
- 2.4 Specifically, AEMFC seeks to benefit from this partnership in the following ways:
 - i. AEMFC must receive reduced cost of acquisition and improved service benefits resulting from the Supplier's economies of scale and streamlined service processes.
 - ii. AEMFC must achieve appropriate availability that meets user needs while reducing costs for both AEMFC and the chosen Supplier(s).
 - iii. AEMFC must receive proactive improvements from the Supplier with respect to provision of Services and related processes.
 - iv. AEMFC end users must be able to rely on the chosen Supplier's personnel for service enquiries, recommendations and substitutions.
 - v. AEMFC must reduce costs by streamlining its acquisition of Services, including managed service processes on a Group basis.
- 2.5 African Exploration Mining and Finance Corporation (AEMFC) is a state-owned mining company. Its core business is the mining of the strategic assets such as coal, for government. AEMFC intends to source a service provider for the provision of transportation for its employees working full continuous operation shift pattern, meaning 24 hours and 7 days a week.
- 2.6 Thus, the Service Provider is requested to provide a proposal based on the scope of work (Section 5 - SOW).

3 PRE-QUALIFICATION

Only bidders who meet the below Pre-qualification criteria qualify to apply for this tender:

- 3.1 **Note: "Proof of B-BBEE status level of contributor" means-**
 - a) the B-BBEE status level certificate issued by an authorized body or person; or
 - b) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or

- c) any other requirement prescribed in terms of the Broad-Based Black Economic Empowerment Act; If “proof of B-BBEE status level of contributor” is required for prequalification purposes in terms of PPPFA regulations and is either not submitted by tender submission deadline or deemed invalid; the respective tenderer must be disqualified.

3.2 Minimum B-BBEE level

- a) AEMFC has set a minimum B-BBEE threshold for participation in this RFP process. The minimum B-BBEE threshold in this instance is a B-BBEE with a minimum of 51% owned black people. A bid that fails to meet these pre-qualifying criteria will be regarded as an unacceptable bid.

Note : A bidder that fails to meet any pre-qualifying criteria stipulated in the bid documents is an unacceptable tender (section 4 (2) of PPPFA Regulations.

4 OBJECTIVE CRITERIA

- 4.1 Objective criteria in terms of sections 2(1) (d), (e) and(f) of the PPPFA will be used in awarding the tender not to the highest scorer; and the objective criteria for this tender are as follows

5 SCOPE OF WORK (SOW) (REQUIREMENTS)

5.1 SCOPE OF WORK

5.1.1 To provide services for African exploration Mining and Finance Corporation SOC Ltd (AEMFC) employees from their designated residential areas of Phola, Ogies, Kendal and Witbank areas and/or areas to their place of work i.e. AEMFC Vlakfontein Mine, N12 Kendal-Balmoral Off Ramp Kendal (Mpumalanga)

5.1.2 This service will be rendered during day and night shifts, on weekdays, weekends and public holidays from the areas mentioned (routes above) in line with AEMFC shift patterns and ad hoc requirements when applicable.

5.1.3 The Service Provider(s) should ensure that the employees are:

- i. transported on time via the agreed vehicles and in a safe manner taking into account all aspects of safety associated to the transportation of staff.
- ii. dropped off and picked up on agreed times as stipulated by AEMFC.
- iii. employees should be dropped off at the workplace 15 minutes prior to the commencement of shift (see below for shift patterns) and collected at the workplace 10 minutes after the shift has been completed.
- iv. The service provider(s) shall ensure that the drivers commence collection with sufficient time to ensure that the first AEMFC employee is collected in time without violating any traffic offences and meet the agreed drop off time of 15 minutes prior to the shift commencement.

5.1.4 Door-to-door service

5.1.5 Contract covers fares only, which will be paid per bus

5.1.6 AEMFC has the right to cancel all collection requests within 2 hours from time of collection

5.1.7 Maintenance / service & repair of vehicles will be for the suppliers own costs and not for AEMFC account.

5.2 GENERAL REQUIREMENTS

5.2.1 The vehicles required must be reliable have legal carrying capacity to transport the number of staff passenger carrying vehicles.

5.2.2 Time Management is critical as it can have an impact on the productivity levels of AEMFC should employees arrive late and therefore service provider should ensure that time is of the essence.

5.2.3 Service Provider(s) to provide feedback in writing to AEMFC for all the challenges they are faced with AEMFC staff during the execution of the services.

- 5.2.4 The service provider(s) will further be required to attend a monthly Service Level Agreement meeting whereby all issues for the previous month will be addressed to ensure that a resolution is obtained.
- 5.2.5 The scope of work for the transportation services provided and the obligations of the Service Provider(s) in regard thereto will be outlined in the proposed Draft Dedicated Transport Services Agreement which will be issued
- 5.2.6 The Service Provider will be required to filter the collection list and group the employees in their respective residential areas as per the route allocation for collections
- 5.2.7 The Service Provider will issue each route with a waybill which will reflect the all details ie. Route/date/shift/area and employees names, addresses and contact details.
- 5.2.8 AEMFC will upon award of business provide the successful bidder with a route layout of which the bidder needs to ensure the driver conforms to.

5.3 QUANTITY OF BUSES

- 5.3.1 Provision of two (2) x twenty-two (22) seater buses for transportation of employees between Phola, Ogies, Kendal areas and Vlakfontein Mine daily.
- 5.3.2 Provision of two (2) x twenty-two (22) seater buses for transportation of employees between Witbank area and Vlakfontein Mine daily.

5.4 QUANTITY OF BUSES

The routes for employee transportation are stated in below tables as follows:

TABLE 1: ROUTES PHOLA TO VLAKFONTEIN

SHIFT	TIME
Morning –Sunday (Afternoon / Evening) (Including holidays)	
Phola, Ogies, Kendal to Vlakfontein	05h45
Phola,, Ogies, Kendal to Vlakfontein	05h45
Vlakfontein to Kendal, Ogies, Phola	17h45
Vlakfontein to Kendal, Ogies, Phola	17h45
Phola,, Ogies, Kendal to Vlakfontein	05h45
Phola,, Ogies, Kendal to Vlakfontein	05h45
Vlakfontein to Kendal, Ogies, Phola	17h45
Vlakfontein to Kendal, Ogies, Phola	17h45
Phola,, Ogies, Kendal to Vlakfontein	05h45

TABLE 2: ROUTES WITBANK TO VLAKFONTEIN

ROUTES	TIME
Monday –Sunday (Afternoon / Evening) including holiday	
Klarinet,CBD, Tasbet, Duvha Park, Location, Ext 's, Clewer to Vlakfontein	05h45
Klarinet,CBD, Tasbet, Duvha Park, Location, Ext 's, Clewer to Vlakfontein	05h45
Vlakfontein to Klarinet,CBD, Tasbet, Duvha Park, Location, Ext 's, Clewer	17h45
Vlakfontein to Klarinet,CBD, Tasbet, Duvha Park, Location, Ext 's, Clewer	17h45
Klarinet,CBD, Tasbet, Duvha Park, Location, Ext 's, Clewer to Vlakfontein	05h45
Klarinet,CBD, Tasbet, Duvha Park, Location, Ext 's, Clewer to Vlakfontein	05h45
Vlakfontein to Klarinet,CBD, Tasbet, Duvha Park, Location, Ext 's, Clewer	17h45
Vlakfontein to Klarinet,CBD, Tasbet, Duvha Park, Location, Ext 's, Clewer	17h45
Klarinet,CBD, Tasbet, Duvha Park, Location, Ext 's, Clewer to Vlakfontein	05h45

6 SERVICES, FACILITIES, AND INFORMATION TO BE SUPPLIED BY THE BIDDER

- 6.1 Competent and medically fit drivers; and
- 6.2 Reliable and safe buses.

7 SERVICES, FACILITIES, AND INFORMATION TO BE SUPPLIED BY AEMFC (to the winning bidder)

- 7.1 Access to Vlakfontein Mine site
- 7.2 Permits to use mine roads and facilities.

8 PROPOSAL SUBMISSION AND OPENING OF BIDS

Bids should be sealed and externally endorsed:

CLIENT NAME: African Exploration Mining and Finance Corporation (AEMFC)

BID DESCRIPTION: Provision of Employee Transportation Services at Vlakfontein Mine for a period of thirty-six (36) months.

BID NO: AE/VLAK011/2021

BIDDER NAME:

ENVELOPE TITLE: FUNCTIONAL RESPONSE/COMMERCIAL RESPONSE

- 8.1 There shall be no public opening of the Bid received, however the list of Bids received may be published on the AEMFC website or National Treasury e-tender portal unless specifically provided for in the RFP.
- 8.2 Bids submitted by means of email, telegram, telefax, facsimile or similar means shall not be considered.
- 8.3 Bidders will be disqualified in the event of there being scratching out, witing over or painting out rates or information, affecting the evaluation of the bid, without initialling next to the amended rates or information.
- 8.4 Bidders will be disqualified in the event of the use of correction fluid (e.g. tippex), any erasable

ink, or any erasable writing instrument (e.g. pencil).

- 8.5 Bidders will be disqualified if the entity or any of its directors is listed on the register of Bid Defaulters in terms of the Prevention and Combating of Corruption Activities Act of 2004 as a person prohibited from doing business with the public sector.

9 MULTIPLE BIDDING

- 9.1 AEMFC does not allow Bidders to do multiple bidding.

Note: Bids submitted multiple bidding will be deemed to be non-responsive).

10 FUNCTIONAL RESPONSE

The following information must be included in the functional response envelope:

FUNCTIONAL RESPONSE ENVELOPE	
Proposal documents comprising of a response to the functional evaluation criteria inclusive of the following (Refer to Section 12).	Comply [Yes/No]
Completed Functional Response	
A certificate of Public Liability Insurance.	
Certified copies of public drivers permit (PDP) of designated drivers. Certified copies of proof of valid vehicle insurance for the vehicles to be used.	
Certified copies of roadworthy certificates of the vehicles.	
Service Books/ Service Register/ Inspection reports.	

Functional response envelope shall consist of the following

- Two (2)** hard copies of which **one (1)** shall be an **original** and the remaining **one (1) copy** of the original.
- The original copy must be marked clearly as an original version.

11 COMMERCIAL RESPONSE

The following information must be included in the commercial response envelope:

11.1 ADMINISTRATIVE DOCUMENTS

- Company Registration Documents Certified copies of identity documents of all directors/ main shareholders of the company, which copies must not be older than three months.

11.2 JOINT VENTURE /CONSORTIUM AGREEMENT

- If the bidder is a Joint Venture or Consortium, a Joint Venture / Consortium agreement signed by all member entities of the Joint Venture or Consortium must be attached together with the registration document of all member entities.

11.3 BROAD BASE BLACK ECONOMIC EMPOWERMENT (B-BBEE) Act

- Valid Original or Certified Copy of B-BBEE Certificate/ Sworn Affidavit for EMEs and QSEs.
- If the bidder is a Joint Venture or Consortium, a consolidated B-BBEE certificate (of the Joint Venture or Consortium (inclusive of all member entities) must be submitted.
- AEMFC reserves the right to verify the B-BBEE certification against the actual turnover as per Annual Financial Statements submitted by the bidder. Any discrepancy between the certification and the actual turnover as verified by AEMFC arising out of any misrepresentation in this regard shall lead to a disqualification.*
- Further, the original or certified copy of an individual or consolidated B-BBEE certificate or sworn affidavit will also be used for awarding preference points. The B-BBEE certificate must be submitted on the day of bid closure.
- B-BBEE status will be scored out of 20 points in accordance with PPPFA. If a tenderer fails

to submit proof of B-BBEE status level, the tenderer will not be disqualified (except if B-BBEE level is a pre-qualification criterion). The tenderer will, however, be awarded 80 points for price and will score 0 points for B-BBEE level /status (out of 20).

11.4 NATIONAL TREASURY'S SUPPLIER DATABASE (CSD) REGISTRATION

- a) Bidders must submit proof of registration on the National Treasury's Central Supplier Database (CSD).
- b) Bidders are requested to register on the National Treasury CSD and include the copy of supplier number in order to enable the institution to verify the supplier's tax status on CSD.
- c) Registration can be completed online at www.csd.gov.za.

11.5 FINANCIAL STATEMENTS

Bidders to proof of financial Soundness - Annual Financial Statements:

- a) If a bidder is a registered company required by law to have its annual financial statements audited or independently reviewed in compliance with the requirements of the Companies Act, Act No. 71 of 2008 , or any other law, audited or independently reviewed annual financial statements, as the case may be, prepared withing six(6) months of the end of the bidders most recent financial year together with the audited or independently reviewed annual financial statements for two immediately preceding financial years, unless the bidder was only established within the past three (3) years in which case all of its annual financial statements must be submitted.
- b) If a bidder is a registered close corporation, annual financial statements in compliance with the provisions of the Close Corporation, annual financial statements in compliance with the provisions of the Close Corporations Act, Act No. 69 of 1984, prepared within nine (9) months of the end of the bidders most recent financial year together with the annual financial statements for the two immediately preceding financial years, unless the bidder was only established within the past three (3) years in which all of its annual financial statements must be submitted.
- c) Annual financial statements submitted must comply with the requirements of the Companies Act or the Close Corporations Act.
- d) If the bidder only commenced business within the past three years, the bidder is required to submit annual financial statements in compliance with the provisions of (5.1) and (5.2) above for each of its financial years since commencing business.
- e) If a bidder is not required by law to have its annual financial statements audited or independently reviewed, or is not a Close Corporation, then non-audited annual financial statements for the periods referred to above must be submitted.
- f) If a bidder is a new company, an affidavit must be provided where no annual financial statements have been prepared.

12 REQUIRED DOCUMENTS

The following Standard Bidding Documents completed and signed:

COMMERCIAL RESPONSE	
MANDATORY RETURNABLE DOCUMENTS	SUBMITTED [Yes/No]
Resolution of Authority to Sign on behalf of the Bidding Entity / JV / Consortium Note (<i>Bids submitted without the required Resolution of Authority to Sign on behalf of the Bidding Entity / JV / Consortium will be deemed to be non-responsive</i>).	
Valid and original (or a certified copy) proof of Respondent's compliance to B-BBEE or Sword Affidavits requirements stipulated in Section 3 (3.5) of this RFP: B-BBEE Level Certificate or higher (e.g. Level 1 would be higher B-BBEE status);	
Bill of Quantities Note (<i>Bids submitted without Bill of Quantities will be deemed to be non-responsive</i>).	
Membership with either Ogies Phola Taxi Association (OPTA) or Duvha United Long Distance Taxi Association (DULDTA) or IOTA or ULTA or TOPIC Note (<i>Bids submitted without OPTA / DULDTA IOTA / ULTA /TOPIC taxi association will be deemed to be non-responsive</i>).	
Valid certified copy of letter of good standing with the above taxi association Note (<i>Bids submitted without letter of good standing will be deemed to be non-responsive</i>).	

COMMERCIAL RESPONSE	
ESSENTIAL RETURNABLE DOCUMENTS	SUBMITTED [Yes/No]
Schedule A: Miscellaneous Information	
SBD 9: Certificate of Independent Bid Documentation	
National Treasury Registration on Central Data Base (CSD) (certificate).	

Commercial response envelope shall consist of only **one** original hard copy

13 EVALUATION CRITERIA

The following evaluation method will be used:

- 13.1 After the closing date of the bid invitation, an appointed evaluation committee of AEMFC officials and / or external parties/ consultants (where necessary) will evaluate the proposal of the service providers.
- 13.2 The committee will evaluate each of the bid proposals received against the approved criteria as stated below:
 - a) Compliance Check of required documents
 - b) Functionality (Technical)
 - c) Price and B-BBEE status level of contribution in accordance with PPPFA and its Regulations.

13.3 PHASE 1: Pre-Qualification

All proposals submitted will be evaluated to determine that bidders comply with the pre-qualification criteria.

13.4 PHASE 2: Compliance Check of Required documents

All proposals submitted will be evaluated to establish compliance to the commercial requirements such as for completion and signing of Standard Bidding Documents (SBD) forms, and submission of Central Supplier Database (CSD) registration number.

13.5 PHASE 3: Functionality

Minimum threshold value of **90** should be obtained by the service providers to qualify for the fourth phase.

EVALUATION CRITERIA					
NO	EVALUATION CRITERIA	SCORING PRINCIPLE	RETURNABLE SCHEDULE	RATING	WEIGHTING SCORE
1.	The bidder must be in possession of the valid Public Liability Insurance.	Proof of relevant Public Liability Insurance	Public Liability Insurance	30	30
		No Proof of relevant Public Liability Insurance		0	
2.	The bidder must provide valid public drivers permit (PDP) of two designated drivers for the project.	Proof of valid PDP permits	PDP Permits	30	30
		No proof of valid PDP permits		0	
3.	The bidder must produce valid vehicle insurance for the vehicles to be used.	Proof of valid vehicle insurance certificates	Vehicle Insurance	5	5
		No proof of valid vehicle insurance certificates		0	
4.	The bidder must produce valid roadworthy certificates of the vehicles to be used.	Proof of valid roadworthy certificates of the vehicles to be used	Roadworthy certificates	30	30
		No proof of valid roadworthy certificates of the vehicles to be used		0	5
5.	Bidder to provide a full-service history of the vehicles	Proof of service book / inspection reports/ service register	Bidders to submit service book/inspection reports/service register signed by dealer or qualified person.	5	
		No proof of service book / inspection reports/ service register		0	
Bidders to submit certified documents, failure to submit certified will lead to bidder to be non-responsive.					
Total Points					100
Minimum Threshold					90

13.6 PHASE 4: Price and B-BBEE

Price Quotations will be evaluated in accordance with the Preferential Procurement Policy Framework Act (PPPFA), using the 80/20 preference point system, where 80 points will be for price and the remaining 20 will be for B-BBEE Status of Level of contribution. Preference points shall be awarded as follows:

B-BBEE Status Level of Contribution	NUMBER OF POINTS (80/20)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

If particulars required in respect of the bid have not been completed, except if only the Broad Based Black Economic Empowerment Certificate as provided for in Regulation 10 of The Preferential Procurement Regulations 2017, is not submitted, the bid will not be disqualified but no preference points will be awarded, and thereby impact the total scoring negatively

14 PRICING

Arithmetic Errors, omissions, and discrepancies

- 14.1 Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern.
- 14.2 If there is an error in the line-item total on the bill of quantities resulting from the product of the unit rate and the quantity, the rate shall govern, and the line-item total shall be corrected.
- 14.3 Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the addition of prices, the rates shall govern, and the total tendered price shall be revised to achieve an arithmetically correct total tendered price.
- 14.4 All prices and quotation rates shall comply with the following conditions.
 - a) Quotations to be in South African Rands;
 - b) Price quoted must include VAT;
 - c) Zero rated services or goods to be indicated as such;
 - d) Bids shall be valid for a period of 120 days from date of closing; and
 - e) Quotations to be submitted on the Company's letterhead.

AEMFC reserves the right to enter into mandated negotiations with any/more selected tenderers in accordance with AEMFC's approved procurement policies and procedures.

15 ADDITIONAL INFORMATION

- 15.1 During evaluation of the bids, additional information may be requested in writing from bidders only for the purpose of clarifying aspects mentioned in the bid. Replies to such request must be submitted, within 2 (two) working days or as otherwise indicated.

16 SPECIAL CONDITIONS OF TENDER

16.1 CRITICAL REQUIREMENTS OF TENDER

- i. Vehicle to be licensed, registered and roadworthy with certified copies attached.
- ii. Service provider(s) should be in the possession of the necessary vehicle carrying permit(s).
- iii. Service provider(s) to have two drivers with valid driver's licenses and Professional Driving Permits (PDP's) (Certified copies of Drivers Licenses and PDPs to be provided);
- iv. All drivers should be medically fit and free from any ailments which will require them to take medication and/or render them unfit to perform this function. (Medical certificates of all drivers to be provided).
- v. Service provider to have a detailed accident procedure in place
- vi. Insurance confirmation and / or Professional Indemnity Insurance, Professional Liability Insurance (The service provider to have adequate insurance cover – especially general liability Insurance cover.

16.2 SAFETY

- i. Drivers to have a valid public driving permit, license, clean record, sober habits, medically fit (at least annual medicals), not afflicted with night blindness, no high-risk conditions (diabetes mellitus high BP, untreated epilepsy, nervous breakdown background) certified copies to be attached.
- ii. There should be a zero tolerance of any substance abuse i.e. alcohol, drugs etc whereby random testing should/will take place.
- iii. Service providers to ensure that all drivers are equipped with safety clothing.
- iv. No loud music in transit
- v. No passengers allowed on trips other than AEMFC staff.

17 DISCLAIMERS

Notwithstanding anything else in this Request For Proposal (RFP) and without limiting its rights at law or otherwise, AEMFC reserves the right, in its absolute discretion at any time to:

- 17.1 Cancel and call for new tenders
- 17.2 Appoint more than one bidder or contractor
- 17.3 Reject any tender received after the closing time
- 17.4 Alter the structure and/ or the timing of this RFP or the tendering process
- 17.5 Consider and accept or reject any alternative tender
- 17.6 Reject any tender that does not comply with the requirements of this RFP
- 17.7 Terminate the participation of any Bidder or any other person in the Tendering process
- 17.8 Cease to proceed with or suspend the Tendering process prior to the execution of an official written contract.
- 17.9 Request additional information or clarification from any Service Provider or any other person or provide additional information or clarification.

AEMFC is not obliged to accept the lowest or any bid thereof and reserves the right to withdraw this bid.

ANNEXURE A: SCHEDULE A (MISCELLANEOUS INFORMATION)

Schedule A – DECLARATION OF INTEREST AND CONFIRMATION OF PREVIOUS PROCUREMENT ACTIVITIES

1. Any legal person, including persons employed by the state, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, 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/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his/ her representative:

2.2 Identity Number:

2.3 Position occupied in the company (director/trustee/shareholder):

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

¹"State" means:

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

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

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

2.7.1 If so, furnish the following particulars:

(a) Name of person/director/trustee/shareholder/member:

.....

(b) Name of state institution at which you or this person connected to the bidder is employed:

.....

(c) Position occupied in the state institution:

.....

(d) Any other particulars:

.....

.....

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

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

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

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

.....

.....

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

2.8.1 If so, furnish particulars:

.....

.....

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

2.9.1 If so, furnish particulars.

.....

.....

2.10 Are you, or any person connected to 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? **YES/NO**

2.10.1 If so, furnish particulars.

.....

.....

2.11 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? **YES/NO**

2.11.1 If so, furnish particulars:

.....

.....

3 Full details of directors/trustees/shareholders:

Full Name	Identity No	Personal Tax Reference No	State Employee No/Persal No

4 DECLARATION

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

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

I give consent to AEMFC to use all the submitted information for the evaluation and adjudication. I further
provide AEMFC with permission to confirm the validity and authenticity of the submitted information with
a third party (where applicable).

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

ANNEXURE B**SBD 6.1****PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017**

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

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

1. GENERAL CONDITIONS

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

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

1.2

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable;

1.3 Points for this bid shall be awarded for:

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

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

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

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

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

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“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 goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic

Empowerment Act, 2003 (Act No. 53 of 2003);

- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 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	or	90/10
$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$		

Where

- P_s = Points scored for price of bid under consideration
- P_t = Price of bid under consideration
- $P_{\min}$ = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

5. BID DECLARATION

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

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

- 6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(***Tick applicable box***)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

- 7.1.1 If yes, indicate:

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

(***Tick applicable box***)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;

- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES	
1.	
2.	

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

ANNEXURE C: SBD 9

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids/quotes¹ 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 *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

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

SBD 9

CERTIFICATE OF INDEPENDENT QUOTATION/PROPOSAL DETERMINATION

I, the undersigned, in submitting the accompanying quote:

PROVISION OF SERVICES FOR EMPLOYEE TRANSPORTATION AT VLAKFONTEIN MINE FOR A PERIOD OF THIRTY-SIX (36) MONTHS. AE/VLAK011/2021

(Quote Number and Description)

in response to the invitation for the quote made by:

African Exploration Mining and Finance Corporation (SOC) Ltd

(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.

SBD 9

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

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

SBD 9

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

ANNEXURE D: REGISTRATION OF PROSPECTIVE BIDDERS FORM

DESCRIPTION: PROVISION OF SERVICES FOR EMPLOYEE TRANSPORTATION AT VLAKFONTEIN MINE FOR A PERIOD OF THIRTY-SIX (36) MONTHS.

BID NUMBER: AE/VLAK011/2021

DATE OF BRIEFING SESSION: 25 May 2021

VENUE: Vlakfontein Mine

REGISTRATION OF PROSPECTIVE BIDDERS FORM

All interested bidders must register their interests to attend a compulsory briefing session by completing this form and return to tender@aemfc.co.za by **20 May 2021**.

Tel/ mobile no: Email address:

.....
BIDDER'S NAME

.....
DATE

Failure to submit "REGISTRATION OF PROSPECTIVE BIDDERS FORM" for the briefing session attendance by 20 May 2021 will lead to bidder not being able to attend RFP briefing.

- ☐ Will select time slot of attending, if late AEMFC reserves the right not to attend to them
- ☐ Will agree to screen testing
- ☐ Will wear the required COVID-19 PPE
- ☐ Will not be allowed into the premises if they screen test results indicates the symptoms of COVID- 19 illness

ANNEXURE E: RESOLUTION TO SIGN ON BEHALF OF COMPANY

Resolution to sign on behalf of Company

RESOLUTION of a meeting of the Board of "Directors / Members / Partners of:

.....
(legally correct full name and registration number, if applicable, of the Enterprise)

held at (place).....

on (date).....

RESOLVED that:

- 1 The Enterprise submits a Tender to **AEMFC** in respect of the following:

AE/VLAK011/2021 Tender Reference Number:

PROVISION OF SERVICES FOR EMPLOYEE TRANSPORTATION AT VLAKFONTEIN MINE FOR A PERIOD OF THIRTY- SIX (36) MONTHS

(project description as per Tender Document)

- 2 *Mr/Mrs/Ms in *his/her capacity as:

.....(position)

And who will sign as follows: _____(Signature)

and is hereby, authorised to sign the Tender and all other documents and/or correspondence in connection with and relating to the EOI, as well as to sign any Contract, and any and all documentation, resulting from the award of any project to the Enterprise mentioned above.

	NAME	CAPACITY	SIGNATURE
1.			
2.			
3.			
4.			

Note: *Delete which is not applicable NB: This resolution must be signed by <u>all</u> the Directors / Members / Partners of the Tendering Enterprise or majority of directors of the Tendering Enterprise. - Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.	ENTERPRISE STAMP	

Annexure F: Bill of Quantities

ROUTES	POLA TO VLAKFONTEIN
---------------	----------------------------

No	Item	Quantity	Months	Price Per Trip	Total Price for 36 Months
1	Vlakfontein to Pola Per Trip	1	36		
2	Pola to Vlakfontein Per Trip	1	36		
TOTAL PRICE (EXCLUSIVE VAT)					
TOTAL PRICE INCLUSIVE OF VAT					

ROUTES	WITBANK TO VLAKFONTEIN
---------------	-------------------------------

No	Item	Quantity	Months	Price Per Trip	Total Price for 36 Months
1	Vlakfontein to Witbank Per Trip	1	36		
2	Witbank to Vlakfontein Per Trip	1	36		
TOTAL PRICE (EXCLUSIVE VAT)					
TOTAL PRICE INCLUSIVE OF VAT					

AD HOC SERVICES

Category	Description	Charge type	Price
Ad hoc services	Funerals and any other events	Rate per kilometre	

Company representative name (who confirms that they are duly authorized)

Company representative signature (who confirms that they are duly authorized to sign)

Annexure G: Experience of the company

Bidders Name	
--------------	--

Item	Company/Project Name	Description on the project	Start Date (MM/YYYY)	End Date (MM/YYYY)	Value of Project in Rands	Contact Details of reference company		
						Contact Person	Telephone (land line)	email address

Company representative name (who confirms that they are duly authorized)

Company representative signature (who confirms that they are duly authorized to sign)

