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## AEMFC - REQUEST FOR QUOTATION (RFQ)

|                                              |                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RFQ DESCRIPTION</b>                       | REQUEST FOR A SERVICE PROVIDER TO SUPPLY AND DELIVER GREENHOUSE SHADES AND NETS                                                                                                                                                                                                                                                                                   |
| <b>RFQ DOC NUMBER:</b>                       | 6000006820                                                                                                                                                                                                                                                                                                                                                        |
| <b>RFQ ISSUE DATE</b>                        | 23 March 2022                                                                                                                                                                                                                                                                                                                                                     |
| <b>BRIEFING SESSION DATE AND TIME</b>        |                                                                                                                                                                                                                                                                                                                                                                   |
| <b>CLARIFICATION ENQUIRY EMAIL</b>           | RFQ.Enquiry@aemfc.co.za                                                                                                                                                                                                                                                                                                                                           |
| <b>CLOSING DATE ON CLARIFICATION ENQUIRY</b> | 26 March 2022 AT 10:00AM                                                                                                                                                                                                                                                                                                                                          |
| <b>RFQ CLOSING DATE AND TIME</b>             | 27 March 2022 AT 10:00AM                                                                                                                                                                                                                                                                                                                                          |
| <b>DELIVERY INSTRUCTIONS BY EMAIL</b>        | Written Quotations are to be submitted to email address –<br><br><b>Email:</b> <a href="mailto:quotations@aemfc.co.za">quotations@aemfc.co.za</a> .<br><br>NOTE: LATE BIDS AND THOSE SUBMITTED TO OTHER EMAIL ADDRESSES WILL BE “DISQUALIFIED”.                                                                                                                   |
| <b>BID ESTIMATED VALUE</b>                   | The value of this bid is estimated to be below R50 000 000 (all applicable taxes included).                                                                                                                                                                                                                                                                       |
| <b>RFQ VALIDITY PERIOD:</b>                  | [60] “Business Days” from the closing date of this RFQ                                                                                                                                                                                                                                                                                                            |
| <b>NOTE IMPORTANT</b>                        | Suppliers of Goods and /or Services to AEMFC cannot be undertaken without receipt of a VALID Purchase Order Number. Verbal, telephonic instructions from employee of AEMFC is a violation of AEMFC's Procurement Policy and Procedures. Commencement of such an act will result in an unlawful transaction with the repercussion of non -payment to the supplier. |

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Respondents Signature

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Date

**SECTION 1**  
**NOTICE TO BIDDERS**

**1. RESPONSE TO (RFQ)**

- 1.1. Response to this RFQ [Quotations] must not include documents or reference relating to any other quotation or proposal. Any additional conditions must be embodied in an accompanying letter.

**2. EVALUATION OF BIDS**

- 2.1. All Acceptable bids which meet MANDATORY REQUIREMENTS will qualify for further evaluated as follows:

**2.2. BID WITH NO FUNCTIONALITY/QUALITY REQUIREMENT will be subjected to:**

- 2.2.1. PRICING EVALUATION which applies the **financial tolerance range**, were a bidder will be DISQUALIFIED if the price quoted is less than 20% or over 20% of what is determined to be a market related price.

2.2.2. Market related prices will determines through:

2.2.2.1. Historic prices paid for similar goods, service or works; or

2.2.2.2. Desktop research (where an item has an established market price); or

2.2.2.3. Independent estimate from 3rd party.

**2.3. BID WITH FUNCTIONALITY/QUALITY REQUIREMENT will be subjected to:**

- 2.3.1. Failure to meet the threshold for Functionality/quality assessment with a minimum threshold will lead to a DISQUALIFICATION.

2.3.2. Prices will be assessed based on paragraph 2.2.1.

**3. AWARD TO BIDS**

- 3.1. QUALIFYING BIDS after PRICE will be subjected to OBJECTIVE CRITERIA:

3.1.1. Preference will be given to BIDDER WITH HIGHEST BEE LEVEL OR LOCAL MINING COMMUNITY (which one if available or both).

3.1.2. Note: *Failure to submit valid and original (or certified copy of) proof of the Respondent's compliance with the B-BBEE requirements at the Closing Date of this RFQ, will result in your BEE level not be considered*

**4. VALIDITY PERIOD**

- 4.1. Bidders are to note that they may be requested to extend the validity period of their bid, on 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

**5. PRICING**

- 5.1. All prices quoted must be submitted on the company's letter head.
- 5.2. All prices must be quoted in South African Rand on a fixed price basis, including VAT.
- 5.3. All prices quoted which are subject to confirmation will not be considered
- 5.4. AEMFC uses a Financial Tolerance Range in order to assess how reasonable the market response prices are. These ranges will assist with eliminating bid prices that are deemed to be excessively high or low to complete the works. The higher limit ensures AEMFC does not pay more than it believes the value of service or goods is worth, and the lower limit ensures that AEMFC is not exposed to risk of work not being completed or prices increasing subsequent to the award because the award price was too low to complete said scope. The financial tolerance range for this bid is -20% to 20%

**6. BROAD-BASED BLACK ECONOMIC EMPOWERMENT [B-BBEE]**

- 6.1. AEMFC fully endorses and supports the Government's Broad-Based Black Economic Empowerment Programme, and it would therefore prefer to do business with local business enterprises who share these same values.
- 6.2. AEMFC will award to companies who provide proof of their B-BBEE status using either the latest version of the generic Codes of Good Practice or Sector Specific Codes (if applicable).
- 6.3. Respondents are required at all times to comply with the latest B-BBEE legislation and/or instruction notes as issued from time to time by the DTI.
- 6.4. **In support of Mining Charter and Transformation goals. AEMFC will award to bidder with highest BEE level after Price.**

**7. ARITHMETIC ERRORS, OMISSIONS AND DISCREPANCIES THE FOLLOWING WILL APPLY.**

- 7.1. Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern.
- 7.2. 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.
- 7.3. 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.

**8. CHANGES TO QUOTATIONS**

- 8.1. Changes by the Respondent to its submission will not be considered after the closing date and time.

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Respondents Signature

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Date

## **9. BINDING OFFER**

- 9.1. Any Quotation furnished pursuant to this Request shall be deemed to be an offer. Any exceptions to this statement must be clearly and specifically indicated.

## **10. COMMUNICATION**

- 10.1. Respondents are warned that a response will be liable for disqualification should any attempt be made by a Respondent either directly or indirectly to canvass any officer(s) or employee of AEMFC in respect of this RFQ between the closing date and the date of the award of the business.
- 10.2. A Respondent may, however, before the closing date and time, direct any written enquiries relating to the RFQ address them to the following address: Email: [quotations@aemfc.co.za](mailto:quotations@aemfc.co.za).

## **11. LEGAL COMPLIANCE**

- 11.1. The successful Respondent shall be in full and complete compliance with any and all applicable national and local laws and regulations.

## **12. DISCLAIMERS**

- 12.1. AEMFC is not committed to any course of action as a result of its issuance of this RFQ and/or its receipt of a Quotation in response to it. Please note that AEMFC reserves the right to:
- 12.1.1. Modify the RFQ's goods/services(s) and request Respondents to re-bid on any changes;
- 12.1.2. Reject any Quotation which does not conform to instructions and specifications which are detailed herein;
- 12.1.3. Disqualify Quotations submitted after the stated submission deadline;
- 12.1.4. Not necessarily accept the lowest priced Quotation or an alternative bid;
- 12.1.5. Reject all Quotations and Make no award at all, if it so decides;
- 12.1.6. Place an order in connection with this Quotation at any time after the RFQ's closing date;
- 12.1.7. Award only a portion of the proposed good / service/s which reflected in the scope of this RFQ;
- 12.1.8. Split the award of the order/s between more than one Supplier/Service Provider should it at AEMFC's discretion be more advantageous in terms of, amongst others, cost or developmental considerations;
- 12.1.9. Validate any information submitted by Respondents in response to this bid. This include, but is not limited to, requesting the Respondents to provide supporting evidence. By submitting a bid, Respondents hereby irrevocably grant the necessary consent to AEMFC to do so;
- 12.1.10. Request audited financial statements or other documentation for the purposes of a due diligence exercise; and/or;

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Respondents Signature

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Date

- 12.1.11. Not accept any changes or purported **changes by the Respondent to the bid rates after the closing date and or after the award of the business unless the contract specifically provides for it.**
- 12.1.12. If a bidder(s) or contractor(s), based on reasonable grounds or evidence obtained by the AEMFC, has / have engaged in the restrictive practice referred to above, the purchaser may refer the matter to the Competition Commission for investigation and possible imposition of administrative penalties as contemplated in the Competition Act No. 89 of 1998
- 12.1.13. If a bidder(s) or contractor(s), has / have been found guilty by the Competition Commission of the restrictive practice referred to above, AEMFC may, in addition and without prejudice to any other remedy provided for, invalidate the bid(s) for such item(s) offered, and / or terminate the contract in whole or part, and / or restrict the bidder(s) or contractor(s) from conducting business with the public sector for a period not exceeding ten (10) years and / or claim damages from the bidder(s) or contractor(s) concerned.

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Respondents Signature

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Date

## **SECTION 2**

### **ADMINISTRATIVE COMPLIANCE**

#### **13. NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE (CSD)**

- 13.1. Respondents are required to self-register on National Treasury's Central Supplier Database (CSD). AEMFC is required to ensure that price quotations are invited and accepted from prospective bidders listed on the CSD. Business may not be awarded to a Respondent who has failed to register on the CSD.
- 13.2. Only foreign suppliers with no local registered entity need not register on the CSD.
- 13.3. The CSD can be accessed at <https://secured.csd.gov.za/>. Respondents are required to provide the following to AEMFC in order to enable it to verify information on the CSD:

Supplier Number: \_\_\_\_\_ Unique registration reference number: \_\_\_\_\_.

#### **14. TAX COMPLIANCE**

- 14.1. Respondents must be compliant when submitting a proposal to AEMFC and remain compliant for the entire contract term with all applicable tax legislation, including but not limited to the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).
- 14.2. It is a requirement that Respondents grant a written confirmation when submitting this bid that SARS may on an ongoing basis during the tenure of the contract disclose the Respondent's tax compliance status and by submitting this bid such confirmation is deemed to have been granted.
- 14.3. It is a condition of this RFQ that the tax matters of the successful bidder be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.
- 14.4. No business will be awarded to a person whose tax matters have not been declared to be in order by SARS. If a recommended bidder is not tax compliant, the bidder must be notified in writing of their non-compliant status and the bidder requested to submit written proof from SARS of their tax compliant status or proof that they have made an arrangement to meet their outstanding tax obligations within seven (7) working days. Should they fail to do so AEMFC will reject their bid
- 14.5. Respondents are required to be registered on the Central Supplier Database as indicated in paragraph 9 and the National Treasury shall verify the Respondent's tax compliance status through the Central Supplier Database.
- 14.6. Prior to award, a CSD report on the successful bidder must be drawn by Procurement to confirm that the bidder is indeed registered on CSD and tax compliant.
- 14.7. Where Consortia / Joint Ventures / Sub-contractors are involved, each party must be registered on the Central Supplier Database and their tax compliance status will be verified through the Central Supplier Database

Directors: Mr PM Madokwe (interim Chairman), Mr L A Pitsoe\* (CEO), Ms DR Hlatshwayo, Mr KJ Hodges, Mr LN Makhuba, Ms PC Motsielwa, Ms J Snyman, Company Secretary: Mr TA Piyose

\*Executive Director

## 15. NEW TAX COMPLIANCE STATUS (TCS) SYSTEM

- 15.1. SARS has implemented a new Tax Compliance Status (TCS) system in terms of which a taxpayer is now able to authorise any 3rd party to verify its compliance status in one of two ways: either through the use of an electronic access PIN, or through the use of a Tax Clearance Certificate obtained from the new TCS system.
- 15.2. Respondents are required to provide the following to AEMFC in order to enable it to verify their tax compliance status:

Tax reference number: \_\_\_\_\_

Tax Clearance Certificate & TCC Number: \_\_\_\_\_ and PIN: \_\_\_\_\_.

## 16. PROTECTION OF PERSONAL DATA

- 16.1. In responding to this bid, AEMFC acknowledges that it may obtain and have access to personal data of the Respondents. AEMFC agrees that it shall only process the information disclosed by Respondents in their response to this bid for the purpose of evaluating and subsequent award of business and in accordance with any applicable law. Furthermore, AEMFC will not otherwise modify, amend or alter any personal data submitted by Respondents or disclose or permit the disclosure of any personal data to any Third Party without the prior written consent from the Respondents. Similarly, AEMFC requires Respondents to process any personal information disclosed by AEMFC in the bidding process in the same manner.

| ESSENTIAL RETURNABLE DOCUMENTS                                                                                                                                                             | SUBMITTED<br>[Yes/No] |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| National Treasury Registration on <b>Central Data Base (CSD)</b> (certificate) .                                                                                                           |                       |
| Valid and original (or a Certified copy) B-BBEE certificate/Sworn affidavit ..                                                                                                             |                       |
| Tax Clearance Certificate or electronic access PIN obtained from SARS' Compliance Status (TCS) system [Consortia / Joint Ventures must submit a separate Tax Clearance Certificate or Pin] |                       |

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### SECTION 3

#### 17. SCOPE OF WORK (SOW) /SPECIFICATION

##### 17.1. Provide a Greenhouse Shades and Nets

17.2. The AEMFC hereby request to be supplied with Greenhouses and Shade Nets for Enterprise Development beneficiaries.

##### 17.3. REQUIREMENTS/DELIVERABLES

Greenhouses and Shade Nets

- a) 6x Greenhouses
- b) 50x3m Shade Nets

#### 18. EVALUATION CRITERIA

##### 18.1. MANDATORY REQUIREMENT

18.1.1. Required documents means all the documents as listed in the tables below. The following bidding documents duly completed and signed:

| MANDATORY RETURNABLE DOCUMENTS | SUBMITTED<br>[Yes/No] |
|--------------------------------|-----------------------|
| Pricing Schedule               |                       |
|                                |                       |

##### 18.2. FUNCTIONALITY/QUALITY ASSESSMENT

18.2.1. Evaluation of Price and award will be done as described in Section 1.

### SECTION 4

#### 19. QUOTATION FORM /ACQUAINTANCE WITH RFQ DOCUMENT

19.1. I/We \_\_\_\_\_  
\_\_\_\_\_ hereby offer to supply the goods/services at the prices quoted in the Price Schedule below / (Company Letter Head), in accordance with the conditions related thereto.

19.2. I / We accept that unless AEMFC should otherwise decide and so inform me/us, this Quotation [and, if any, its covering letter and any subsequent exchange of correspondence], together with AEMFC's acceptance thereof shall constitute a binding contract between AEMFC and me/us.

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- 19.3. I / We further agree that if, after I/we have been notified of the acceptance of my/our Quotation, I/we fail to deliver the said goods/service/s within the delivery lead-time quoted, AEMFC may, without prejudice to any other legal remedy which it may have, cancel the order. AEMFC may call for Quotations afresh.



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## 20. PRICING SCHEDULE

| Item No.                              | Description of Goods /Services | Unit Of Measure  | Quantity | Unit Price (ZAR) | Price (Excl Vat) | Total value Price (Inc Vat) |
|---------------------------------------|--------------------------------|------------------|----------|------------------|------------------|-----------------------------|
| 1                                     | Green House                    | 10m x 30m x 4.5m | 6        |                  |                  |                             |
| 2                                     | Shade Nets                     | 3m               | 50       |                  |                  |                             |
| 3                                     | Transport                      | km               |          |                  |                  |                             |
| <b>TOTAL PRICE (EXCLUSIVE VAT)</b>    |                                |                  |          |                  |                  |                             |
| <b>VAT (If Applicable)</b>            |                                |                  |          |                  |                  |                             |
| <b>TOTAL PRICE (INCLUSIVE OF VAT)</b> |                                |                  |          |                  |                  |                             |
| <b>Total Price In Words</b>           |                                |                  |          |                  |                  |                             |

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