



REQUEST FOR PROPOSAL

RFP NO. 10/22/23

THE APPOINTMENT OF A PRIVATE OPERATOR TO OFFER NATURE-BASED EXPERIENCES AT MPOFU-FORT FORDYCE NATURE RESERVE FOR A PERIOD OF 5 YEARS WITH AN OPTION TO RENEW FOR A FURTHER PERIOD OF 2 YEARS.

ADVERTISEMENT DATE:	10 FEBRUARY 2023
CLOSING DATE:	18 APRIL 2023 at 11H00 AM
COMPULSORY BRIEFING:	17 MARCH 2023 at 11H00 AM
ADDRESS:	ECPTA Offices 17-25 Oxford Street, East London
BIDDER NAME:	
CSD NUMBER:	
% FEE OFFERED ON GROSS TURNOVER	



TENDER NOTICE

RFP NO.10/22/23

Bids are hereby invited for **THE APPOINTMENT OF A PRIVATE OPERATOR TO OFFER NATURE-BASED EXPERIENCES AT MPOFU-FORT FORDYCE NATURE RESERVE FOR A PERIOD OF 5 YEARS WITH AN OPTION TO RENEW FOR A FUTURE PERIOD OF 2 YEARS.**

The Eastern Cape Parks and Tourism Agency (ECPTA), established and mandated in terms of the Eastern Cape Parks and Tourism Agency Act (2 of 2010), is responsible for the management of certain protected areas in the Eastern Cape. In order to achieve its management objectives, the Agency requires the services of an experienced service provider for **A PRIVATE OPERATOR TO OFFER NATURE-BASED EXPERIENCES AT MPOFU-FORT FORDYCE RESERVE FOR A PERIOD OF 5 YEARS WITH AN OPTION TO RENEW FOR A FUTURE PERIOD OF 2 YEARS.**

Bid documents outlining detailed specifications will be made available from Wednesday **15th February 2023** **“FREE OF CHARGE”**. Documents can be downloaded from the ECPTA website: www.visiteasterncape.co.za/corporate/procurement/tenders or Eastern Cape Provincial Treasury: www.ectreasury.gov.za or National Treasury e-tender portal: www.etenders.gov.za

A Compulsory briefing will be held on 17th March 2023 at **11h00**. **The venue** is the Mpofo-Fort Fordyce Nature Reserve, **GPS Co- ordinates: Latitude - 32°67'98.37"S Longitude - 26°48'94.24"E**
Bidders are advised to use a high clearance vehicle.

Completed bid documents accompanied by all necessary documents are to be placed in a sealed envelope with the bid name and number (as given above) clearly written in an envelope. **All bids must be deposited in the Tender Box, at the offices of the Eastern Cape Parks and Tourism Agency at No. 17-25 Oxford Street (Corner of Fleet Street & Oxford Street), by not later than 11h00 on Tuesday, 18th April 2023, at which time the bids will be opened in public.**

For all enquiries regarding the bid document please contact Ms. Unathi Zinganto at 043 492 0871, e-mail: Unathi.zinganto@ecpta.co.za or Contact Mr. Bulelani Silangwe for technical enquires at 043 492 0892 during working normal hours, email bulelani.silangwe@ecpta.co.za



MANDATORY RETURNABLE DOCUMENTS	SUBMITTED [Yes/No]
CENTRALIZED SUPPLIER DATABASE REPORT (FULL CSD REPORT) APRIL 2023	
Signed General conditions of contract	
Invitation to Bid (SBD 1)	
Bidders Disclosure (SBD 4)	
Preference Claim Form (SBD 6.1)	
Proof of Address	
Valid Driver's License (PDP)	
Joint Venture Declaration Form	
Joint Venture Agreement	
Authority to sign bid documents	
Company details	
STAGE 1: COMPLIANCE REQUIREMENTS	
Attendance of Compulsory Briefing	
Tour Guide to submit Proof of accreditation as a registered Tour Guide with Cathseta and a valid First Aid Training certificate	
STAGE 2: FUNCTIONALITY	
Company Experience	
Team Capability	
Proposal / Methodology	
STAGE 3: PRICE PROPOSAL	
Financial Proposal	
Form of Offer (Letter)	



PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE EASTERN CAPE PARKS & TOURISM AGENCY					
BID NUMBER:	RFP 10/22/23	CLOSING DATE:	18 April 2023	CLOSING TIME:	11h00am
DESCRIPTION	THE APPOINTMENT OF A PRIVATE OPERATOR TO OFFER NATURE-BASED EXPERIENCES AT MPOFU-FORT FORDYCE NATURE RESERVE FOR A PERIOD OF 5 YEARS WITH AN OPTION TO RENEW FOR A FUTURE PERIOD OF 2 YEARS.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
17-25 Oxford Street, Cnr. Oxford and Fleet Street					
East London					
5201					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ms Unathi Zinganto		CONTACT PERSON	Mr. Bulelani Silangwe	
TELEPHONE NUMBER	043 492 0871		TELEPHONE NUMBER	043 492 0892	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	Unathi.zinganto@ecpta.co.za		E-MAIL ADDRESS	Bulelani.silangwe@ecpta.co.za	
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					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[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]					



<p>1</p> <p>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</p> <p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[IF YES ENCLOSE PROOF]</p>		<p>2</p> <p>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</p> <p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[IF YES, ANSWER PART B:3]</p>	
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

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



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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / 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.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....



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1. IMPORTANT GENERAL INFORMATION

This Request for Proposals ("the RFP") is issued by Eastern Cape Parks & Tourism Agency ("ECPTA") in accordance with the guidelines for Public Private Partnerships ("PPPs") contained in National Treasury's Tourism PPP Toolkit, and in compliance with Treasury Regulation 16 issued in terms of the Public Finance Management Act 1999.

Should the bidder want to participate in other opportunities, the bidder must submit separate bid documents. In the event that the bidder applied for more than one opportunity, the bidder is requested to rank the opportunity in the order of preference, as only one opportunity will be awarded per successful bidder. In the event that the bidder is shortlisted for all bids and there are no other shortlisted bids, the ECPTA reserves the right to consider the bidder for all opportunities.

No.	Commercialization Opportunity	BID NO.	Order of Preference <i>Select (1/2/3/4)</i>
1	Mkhambathi Nature Reserve	RFP 07/22/23	
2	Oviston Nature Reserve	RFP 08/22/23	
3	Great Fish Nature Reserve	RFP 09/22/23	
4	Mpofu-fort Fordyce	RFP 10/22/23	

No verbal discussion with any staff or advisor of ECPTA can change, add to or clarify any of the terms and conditions contained in this RFP. Bidders should only rely on written changes, additions or clarifications from the duly authorised Project Officer of ECPTA, circulated to each bidder. E-mail communications from ECPTA to Bidders will count as written communication.

The bid will be conducted in accordance with and shall be governed by the laws of the Republic of South Africa and this RFP.

Bids and all correspondence and documents relating to Bids shall be in the English language.

The submission of a Bid by a Bidder implies full knowledge and acceptance of, and submission to, all the terms and conditions set out in this RFP, the concession Agreement and under the applicable laws of the Republic of South Africa.



The bidders may only request clarification in writing before the closing date stated in the Tender Notice. All queries and clarifications must be in writing and submitted by the **31st of March 2023**

Bidders shall be responsible for any and all costs, expenses and losses incurred by them in the preparation and submission of Bids or otherwise in connection with the Tender. ECPTA will not compensate Bidders for any such costs, expenses or losses, regardless of the outcome of the Tender. The Eastern Cape Parks and Tourism Agency Supply Chain Management Policy will apply.

Bidders **must** be registered with the Treasury Central Supplier Database (CSD) and submit a full copy of the CSD report for the month of April 2023.

Service providers who are not registered with the National Treasury Central Database of Suppliers must visit www.csd@treasury.gov.za to register their companies, after the completion of the registration report, a summary report must be included to their bid documents.

Eastern Cape Parks and Tourism Agency does not bind itself to accept the highest bid or any other bid and reserves the right to accept the whole or part of the bid.

The award of this bid may be subjected to price negotiation with the preferred bidder(s). Bids which are late, incomplete, unsigned or submitted by facsimile or electronically will not be accepted.

ECPTA reserves the right to terminate the contract if it is not satisfied with the work produced by the service provider. Only bidders that have met the requirements of the proposal / specification shall be considered during the adjudication process.

The ECPTA Bid Committee and the Supply Chain Management Unit may, before a bid is adjudicated or at any time during the bidding process, oblige a bidder to substantiate any claims it may have made in its bid document.

Bids submitted are to hold good for a period of **150** days.



2. THE PPP OPPORTUNITY

2.1. Background

Eastern Cape Parks and Tourism Agency (ECPTA) is responsible for developing and implementing commercial activities inside nature reserves by utilising the rich natural and cultural resources in the reserves. Through creating these activities and offering quality experiences to visitors, ECPTA will be able to enhance its revenue generation efforts. Using the recently acquired game drive vehicles, ECPTA wants to diversify the experience of visitors to provincial reserves. The experience will be offered through offering a package that combines game viewing, visit to heritage sites where available, meals, food, interpretation of flora, fauna and camping. The successful implementation of this project will support both the conservation and tourism mandates of ECPTA and offer possibilities for downstream ecotourism opportunities to local communities.

This will increase the demand for the tourism products and services in the nature reserves and will in turn be translated into skills development and economic opportunities for the locals. The project will enhance the competitiveness of the provincial reserves and will increase the supply of natural and cultural heritage experiences, thus improving the rural product offering.

This will enable the development of sustainable eco-tourism products providing tangible benefits to communities through direct involvement, active participation and contributing to ECPTA revenue generation.

2.2. Description of the tourism PPP opportunity

The Public Private Partnerships (PPP) opportunity is outlined below. The Eastern Cape Parks and Tourism Agency (ECPTA) requests proposals for the commercial use of game drive vehicles and other facilities to create nature-based experiences in Mpofo-Fort Fordyce Nature Reserve– Semi-exclusive opportunity.

2.3. Scope of work and deliverables

The successful bidder will design and package an eco-tourism experience that takes into effect nature-based tourism experiences in a nature reserve, worthy of commercialisation. Depending on the packaged product/s, some experiences might extend to neighbouring communities within a



reasonable kilometre radius, subject to ECPTA's approval. The experiences will include a game viewing using vehicles (one per reserve) provided for by ECPTA. These nature-based activities vary, depending on the offering a nature reserve presents, and they include, but not limited to, hiking, nature & forest walks, trekking, mountaineering, cycling, mountain bike tours, water-based activities, camping, bird watching etc.

2.4. Mpofu-Fort Fordyce Nature Reserve

Mpofu-Fort Fordyce Nature Reserve is a nature reserve in the Eastern Cape Province, South Africa that is managed by Eastern Cape Parks and Tourism Agency between Fort Beaufort and Adelaide. Fort Fordyce is situated on the Amatola escarpment with magnificent views of the Hogsback and Katberg mountains. The area is of great cultural and historical significance. Evidence of the earliest inhabitants of the area, the San, is found in the fine examples of rock paintings discovered within the reserve. Fort Fordyce comprises an extensive central escarpment with steep cliffs and kloofs, falling away to valleys and flatter areas. The forests boast some of the most diverse and richest species in Southern Africa and are home to a wide variety of wildlife and birds

The entity seeks to appoint an operator to manage and operate a Nature-based experiences for visitors in and around Mpofu-Fort Fordyce. The months of May up to September are observed as hunting season, as such there are hunting activities in the reserve. During this period the operator will be expected to comply with certain conditions that will need to be observed in visiting certain areas inside the nature reserve.

The expectation is that the operator will offer fully catered and self-catering experiences using the facilities that have been included in the opportunity. These include the existing campsite at the reserve. Food preparation should be done in such a fashion that it is not electricity intensive, i.e., limited deep frying (if any) and preparing some of the menu items on open fire. The operator can design different activities with approval from ECPTA and other relevant institutions. The operator will utilise the existing hiking trails and the game drive route at Mpofu -Fort Fordyce Nature Reserve.

The game drive loop is 4.7 KM and there are a number of species in the reserve which include hartebeest, kudu, impala etc. The reserve has several hiking trails in the Fort Fordyce section. The reserve currently has six-day hiking trails ranging in distance from around 5 – 18km. These are the



Lourie (5.4km), Bushbuck (8km), Bushpig (7.8km), Crowned Eagle (6.5km), Waterfall (8km) and Baboon Hiking Trail (18.4km). These trails traverse varied scenery and are characterised by magnificent views with surrounding natural vegetation and fauna.

The opportunity is Semi-Exclusive as per the below table:

Exclusive	Camp Area
Non-Exclusive	Game Drive Vehicle Nature-Based Activities

Table 1: Opportunity detail

Existing Facilities	Additional Investment Required from Private Operator
2 Tent Stands (as shown in Figure 4). <ul style="list-style-type: none"> • Long drop toilet • Shower facility close-by 	<ul style="list-style-type: none"> • 8 additional mobile platforms • Mobile ablution facilities and/or washing facility • Mobile water provision

Table 2: Fort Fordyce Campsite

The operator is expected to do the necessary improvements on the game drive route in consultation with ECPTA. A conditional assessment report on the game route will be made available. ECPTA will assist with signage along the routes and other areas of interest.







2.5. Requirements and conditions of the opportunity

- The activities will take on demarcated on tourist routes in the reserve, deviations from the demarcated routes will not be allowed.
- No staff will be allowed to stay overnight on the terrain where the operation takes place.



- The driver of the vehicle must be in possession of a valid Professional Driving Permit (PDP) driver's license.
- The operator must provide ECPTA with proof of public liability insurance.
- The operator must provide ECPTA with proof of Tour Guide Accreditation for all the Guides to be used.
- No littering will be allowed.
- The operator will also be billed a monthly usage fee to cover maintenance, wear & tear, fuel cost, and Insurance.
- The insurance cover for the vehicle/s will be for the ECPTAs accounts which will be recovered from the monthly usage fee.
- The operator will need to take note that they might be a need to provide mobile water, shower and ablution services.
- The game drive vehicle will be kept at the reserve, a pre and post vehicle check will be done prior to trips being undertaken.
- No damage to the flora and fauna along the pathway/reserve will be allowed.
- Regular inspections by ECPTA staff to ensure that the route is kept in good condition.
- Maintenance of the routes is the responsibility of the operator.
- Maintenance and upgrading of the game drive route is the responsibility of the operator.
- All customers of the operator will be subjected to pay the full applicable conservation fees.
- All Guides must have undergone First Aid Level 3 training as part of his/her accreditation.
- ECPTA has the right to inspect the operator's books at any time it deems it to be necessary; and
- ECPTA officials will do random spot checks to ascertain that the prospective operator conforms with conditions of the contract.



3. SITE VISIT

The compulsory site visit process is organised for the Bidders with the following objectives:

- to provide all Bidders the opportunity to ascertain all information they need to present informed and competitive bids for the sites they are qualified to bid for, including physical facilities; and
- to ensure that such access to information is equal for all Bidders.

Attendance will inform Bidders of possible challenges and opportunities that may or may not have an impact on the feasibility studies conducted by Bidders and will further serve to ensure the accuracy of viabilities conducted for the facility.

A Compulsory briefing will be held on 17th March 2023 at 11h00. The venue is the Mpofu-Fort Fordyce Nature Reserve, **GPS Co- ordinates: Latitude - 32°67'98.37"S Longitude - 26°48'94.24"E**

Bidders are advised to use a high clearance vehicle.

Please note that travel and accommodation costs for this visit will be for the bidder's account.

Each Bidder shall be solely responsible for its own due diligence investigation of the investment-opportunity, the proposed Concession Agreement terms and all matters relating to this RFP. Neither ECPTA nor any of their respective officers, employees, agents or advisers makes any representation or warranty, express or implied, concerning any matter affecting the PPP opportunity, except for the representations and warranties of ECPTA that will be set out in the Concession Agreement.

No verbal agreement or conversation with, nor any verbal clarification from, any officer or employee of ECPTA or any of their advisers shall affect or modify any of the terms and conditions contained in this RFP. Only written amendments, supplements or clarifications to this RFP from duly authorised Project Officer of ECPTA, circulated to each Bidder, should be relied upon as authorised.



4. GENERAL CONDITIONS OF THE BID

1. Interpretation

The word "Bidder" in these conditions shall mean and include any firm or any company or body incorporated or unincorporated.

The word "ECPTA" in these conditions shall mean the Eastern Cape Parks & Tourism Agency.

2. Extent of the bid

This contract is for the provision of the services as detailed in the attached Specification (Clause 2: The PPP opportunity).

3. Contract to be Binding

ECPTA will enter into a concession agreement with the successful service provider.

4. Mode of the Bid

All Bids shall be completed and signed: All forms, annexure, addendums and specifications shall be signed and returned with the Bid document as a whole. ***The highest or any Bid will not necessarily be accepted.*** The ECPTA wishes to deal on a prime contractual basis with the successful Bidder being responsible and accountable for all aspects of the entire solution or service offered.

5. Insurance Claims, etc.

The ECPTA shall not be liable in any manner in respect of any claims, damages, accidents and injuries to persons, property or rights or any other courses of civil or criminal action that may arise from the carrying out of this contract.

The company shall insure his / her / their personnel and any plant, machinery or other mechanical or electronic equipment involved in the fulfillment of this contract and shall indemnify ECPTA against all risks or claims which may arise. It will be required from the successful Bidder to submit proof of insurance or any other valid form of indemnification to ECPTA for scrutiny.

6. Signing of Documents

Bidders are required to return the complete set of documents duly signed.



7. Period of Validity for Bids and withdrawal of Bid after Closing Date

Bids are to be held valid and binding for 150 days from the closing date of submissions (calculated from, but not including, the due date).

8. Penalty Provision

Should the successful Bidder:

- a. Withdraw the Bid during the afore-mentioned period of validity; or
- b. Advise the ECPTA of his / her / their inability to fulfill the contract; or
- c. Fail or refuse to fulfill the contract; or
- d. Fail or refuse to sign the agreement or provide any surety if required to do so.

Then, the Bidder will be held responsible for and is obligated to pay to the ECPTA:

All expenses incurred by ECPTA to advertise for or invite and deliberate upon new Bids, should this be necessary. The difference between the original accepted Bid price and:

- (i) A less favorable (for the ECPTA) Bid price accepted as an alternative by the ECPTA from the Bids originally submitted; or
- (ii) A new Bid price.

9. Value Added Tax

In calculating the cost of the supply and delivery of services and / or material, the supplier will issue a "Tax Invoice" for all services rendered and / or materials supplied, which will reflect the exclusive cost of such services, goods or materials with the relevant Value Added Tax being added to the total. VAT must be included in the Bid price but must be shown separately.

10. Price Escalation

To be provided in the financial proposal over the full seven-year contract period.

11. Authority to Sign Bid Documents

In the case of a Bid being submitted on behalf of a company, close corporation or partnership, evidence must be submitted to the ECPTA at the time of submission of the Bid that the Bid has been signed by persons properly authorized thereto by resolution of the directors or under the articles of the entity.



12. Duration of the Bid

The contract period is for a period of 5 years with an option to renew for a further period of 2 years. The contract is reviewable as determined by ECPTA.

13. Insurance and Indemnity

ECPTA shall not be liable in any manner in respect of any claims, damages, accidents and injuries to persons, property or rights or any other courses of civil or criminal action that may arise from the carrying out of this contract. The operator shall at all times during the term of the lease maintain liability insurance.

14. Control of The Contract

For the purposes of this contract ECPTA has appointed the Bid Committee for the adjudication, award and management of the bid.

15. Agreement

The successful bidder undertakes to be bound by all terms and conditions contained in this bid document. A concession agreement will be signed between ECPTA and the successful service provider.



5. SUBMISSION OF BID

Bids must be submitted in sealed envelopes clearly marked “**THE APPOINTMENT OF A PRIVATE OPERATOR TO OFFER NATURE-BASED EXPERIENCES AT MPOFU-FORT FORDYCE NATURE RESERVE FOR A PERIOD OF 5 YEARS WITH AN OPTION TO RENEW FOR A FUTHER PERIOD OF 2 YEARS**”- RFP NO. 10/22/23” Quotations must be deposited in the Bid Box, 17-25 Oxford Street (Cnr of Fleet & Oxford Street), East London, by no later than **11:00 am** on the **18TH of April 2023**

Bids which are not submitted in a properly sealed and marked envelope and/or deposited in the relevant bid box on or before the closing date and time will not be considered. Faxed or e-mailed Bids will not be considered.

Bid Enquiries

Enquiries should be directed to the Supply Chain Management Unit. The following official can be contacted Ms. Unathi Zinganto at 043 492 0871 during normal office hours viz. 08:00 – 16:00 Mondays to Fridays email: unathi.zinganto@ecpta.co.za

How will bids be opened.

The ECPTA official will publicly open and register all bids received.



6. INCOMPLETE BIDS

Bids must be delivered by the stipulated time to the correct address. Late bids will not be accepted for consideration.

The bid evaluation committee will check bid to see whether all the documentation that this RFP requires has been submitted correctly.

If a bid is not complete or something in it is not clear, the bid evaluation committee may, but is not obliged to, ask Bidders for more information. Bidders will receive such requests for more information in writing. No substantial changes to the bid will be asked for or allowed, except if there is a clear mistake in the bid.

ECPTA may, but is not obliged to, disqualify a bid that is not complete or requires clarification without a request for further information.

ECPTA shall not be obliged to reimburse Bidders for any costs and/or damage they incurred during the preparation of Bid Submissions, in the event of cancellation, disqualification, suspension, modification or delay of the Tender



7. EVALUATION CRITERIA

BIDS WILL BE EVALUATED IN ACCORDANCE WITH THE PREFERENTIAL PROCUREMENT POLICY FRAME WORK ACT (PPPFA) of 2000 AND ITS REGULATIONS OF 2022

A three (3) Stage Evaluation process will be employed. In Stage One (1) Bids will be evaluated based on compliance with the bid requirements. Only bidders who meet all the criteria for compliance with the bid requirements will advance to Stage 2. In Stage two (2), bids will be evaluated on functionality criteria. Only bidders who achieve a minimum score of **70** out of 100 will be evaluated on Stage 3 Price and specific goals.

STAGE 1: Compliance with bid requirements

Bidders must comply with the set of compliance requirements listed below. The compliance requirements stated below are project specific and disparate from the pre-qualification requirements enshrined in the Preferential Procurement Policy Regulations of 2022.

- **Compulsory Briefing:** Bidders must attend the compulsory briefing meeting on site.
- **Tour Guide:** Bidders must submit a proof of accreditation with Cathseta as a tour guide and a First Aid Level 3 training certificate. Valid Certificate for first aid level 3 training (certificate must be active and valid before closing date). **Failure to comply with the above requirement will lead to immediate rejection of the bid.**

STAGE 2: Functionality

Bidders must obtain a minimum score of **70** points and above on functionality in order to be considered for Stage 3. Bidders who score less than 70 points will be regarded as non-responsive and disqualified from the process.



Criteria	Points
<p>Company Experience:</p> <p>The company must have operated a similar business with a successful and proven track record with specific focus on running nature-based and adventure activities (including cultural heritage experiences) such as: Hiking trail, game view, cycling, horse riding, bird watching etc.</p> <ul style="list-style-type: none"> ▪ 3 years' experience and more (30 points) ▪ 2 years' experience (20 points) ▪ 1 year or less of experience (10 points) <p>Proof of experience must be submitted in <u>ANY</u> of the following document and must include the period of assignment, type of services offered and be on a client's letterhead:</p> <ol style="list-style-type: none"> a) Appointment letters b) Reference letters c) Copies of contracts or Service Level Agreement d) Proof of affiliation with tourism industry body / Association detailing period of membership / affiliation (RTO, SATSA, LTO etc.) <p>NB: FAILURE TO SUBMIT PROOF OF EXPERIENCE IN THE ABOVE-PRESCRIBED FORMAT WILL LEAD TO ZERO POINTS AWARDED. NO PARTIAL POINTS WILL BE ALLOCATED FOR PARTIAL INFORMATION SUBMITTED.</p>	30
<p>Team Capability</p> <p><u>Registered Tour guide with nature or adventure-based experience</u></p> <ul style="list-style-type: none"> ▪ 3 years' experience and more (15 points) ▪ 2 years' experience (10 points) ▪ 1 year or less of experience (5 points) 	30



<p><u>Accredited and registered Skipper or Kayak guide with nature or adventure-based experience</u></p> <ul style="list-style-type: none"> ▪ 3 years' experience and more (10 points) ▪ 2 years' experience (5 points) ▪ 1 year or less of experience (2 points) <p><u>Office Administrator</u></p> <ul style="list-style-type: none"> ▪ 2 years' experience (5 points) ▪ 1 year or less of experience (2 points) <p>BIDDERS MUST SUBMIT DETAILED CV'S OF PROPOSED TEAM MEMBERS AND PROOF OF ACCREDITATION AS TOUR GUIDE. FAILURE TO SUBMIT WILL RESULT IN NO POINTS ALLOCATED. CV OF THE CONFERENCE MANAGER SHOULD CLEARLY LIST SIMILAR EXPERIENCE / EVENTS SUCCESSFULLY COMPLETED AND REFERENCE LETTERS. NO PARTIAL POINTS WILL BE AWARDED FOR PARTIAL INFORMATION SUBMITTED.</p>	
<p>Proposed operation (Methodology):</p> <p>The bidder must submit a detailed methodology to demonstrate understand of scope of work. The methodology must indicate but not limited to:</p> <ul style="list-style-type: none"> ▪ Clearly state how will the target market segment be attracted (20 points) ▪ Demonstrate the knowledge of understanding tourism industry norms & standards which applies (10points) ▪ Clearly state time frames for the implementation of the project (10 points) <ul style="list-style-type: none"> ○ Activities from appointment till execution ○ Milestones for the project <p>A bidder must clearly demonstrate the ability in establishing relations with local tourism stakeholders/ organisations</p> <p>The methodology must be detailed in order to establish operational sustainability.</p>	40
Total	100



Stage 3: Price & Specific Goals

Price and specific goals points will be calculated as described in the Preferential Procurement Regulations of 2022. SBD 6.1 form must be used to claim points for specific goals for the company. A copy of CSD report, Medical Certificate and Proof of Address must be submitted as proof of specific goals. When the above documentation is not provided as proof the company will automatically score zero points for specific goals.

Criteria	Points Available
Bid Price	80
Specific Goals	20
Total	100

Specific Goals Category	Weighting (of 20 Points)	Number of points
Historically Disadvantaged Individuals Ownership (South African citizen - who, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (Act 200 of 1993))	25%	5
Locality (Enterprises located in the Eastern Cape Province)	25%	5
Youth Ownership	25%	5
Women Ownership	15%	3
Disability Ownership	10%	2
TOTAL		20



8. FINALISING AGREEMENT

The ECPTA will enter into a concession agreement with the successful operator. The Operator will be offered a 5-year contract with an option to renew for a further period of 2 years, performance-based contract commencing upon appointment (as agreed between the Operators and the ECPTA). The ECPTA reserves the right to review the contract on a period to be determined by ECPTA to ensure that the operator complies with the standards of operation as required. The ECPTA reserves the right to terminate the contract on material breach by the operator.



9. INFORMATION ON BIDDER

Bidders must submit the following information.

- Signed bid document
- Full Central Supplier Database (CSD) report for the month of April 2023
- Company Profile
- Company registration
- Shareholder certificate
- Proof of address
- Medical Certificate (if applicable)
- Companies that bid as joint venture must submit an official signed business agreement by both parties. If the service provider does not meet this requirement, it will be automatically disqualified.
- Financial Proposal
- Business Plan
- Risk management matrix



10. ANNEXURE A: FINANCIAL PLAN

The bidder must indicate how much capital will be needed, where it will come from (own capital, grants, loans) and the expected amount and terms (interest rate, repayment period, security) of any proposed loans. Specify whether the necessary financing has been secured and provide appropriate proof.

Indicate the amounts proposed for capital investment and specifically for the following:

- Maintenance of routes
- Equipment
- Where a franchise is proposed, the bidder should show that the capital is available to secure the franchise and also that agreement was reached that the bidder will be allowed to become a franchisee; and
- Training of staff.

Only shortlisted bidders will be required to submit the latest financial statements or a recent auditor's report confirming that all the members of the bidder are solvent and liquid. If a member of the bidder does not produce audited financial statements, it must produce a notarised statement of assets.



A cash flow forecast (net of VAT) for the proposed term (7 years) of the concession Agreement.

This may be in a spread sheet format of the bidder's choice, but must at least present the following:

	Start-up R'000	Year 1 R'000	Year 2 R'000	Year 3 R'000	Year 4 R'000	Year 5* R'000	Year 6 R'000	Year 7 R'000
Cash inflows								
Owners' capital								
Loans received								
Grants received								
Cash from sales and other operating revenue								
Cash from other sources								
<i>Total cash inflow (A)</i>								
Cash outflows								
Project costs and start-up expenses								
Salaries, wages and staff costs								
All other operating costs and expenses								
Loan repayments								
Infrastructure upgrades/Building additions/ internal décor etc.								
Replacement of equipment and vehicles								
<i>Total cash outflow (B)</i>								
Net cash flow [A – B] before PPP fees and tax								

* Adapt for the 7-year term of the PPP



PRICE OFFER

Bidders must present the PPP Fee Offer in the form of a letter on the bidder's letterhead as follows, inserting the bidder's name and the percentage of gross revenue for the variable PPP bid as indicated:

The pricing structure of the PPP is as follows:

- Nominal fixed monthly rental payable in advance; and
- Turnover rental based on a proposed percentage factor payable monthly in arrears.

The proposed offer fee should be exclusive of VAT and will be based on the following formula:

Monthly Rental Fee = instalment + operating costs (maintenance, insurance & security) + % of turnover



Form of Offer (Letter)

To: Eastern Cape & Parks Agency
17-25 Oxford Street, East London, 5201

[Name of bidder] hereby commits to pay to ECPTA:

- (a) The monthly rental fee; and
- (b) Turnover rental fee based on a proposed percentage factor payable monthly in arrears.

The PPP Fee bid by [name of bidder] is _____[percentage]% of gross revenue.

[Name of bidder] hereby warrants that the committed minimum concession fee and the Variable concession Fee shall be included in the concession agreement, if accepted by ECPTA.

For indicative purposes only, our projection of fees payable to ECPTA is:

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7*
Gross revenue (net of VAT)							
Percentage of gross revenue due as Variable concession Fee (same for each year)							
PPP fee due							

* Adapt for the 7-year term of the PPP.

The person signing below is a duly authorised representative of the bidder with full power and authority to submit this financial offer and commit the bidder to its terms.

Signed: _____

Name: _____

Title: _____



11. ANNEXURE B: BUSINESS PLAN

Background and existing operations

Number of years in Business

Turnover of existing business

Experience in running a conference facility and specifically in difficult areas (remote, no access to temp staff, challenges related to basic services and logistics, etc)

Outline cost of sales and pricing policy

The business plan should at least cover the following areas:

- People
- Equipment and
- Products

Marketing - Local initiatives and promotional campaigns

Training

How is training conducted

How are critical positions trained

Labour

Give an undertaking that staff employed will be paid in line with labour legislation.



12. ANNEXURE C: RISK MANAGEMENT

Type of risk	General description of risk	Project-specific risk	Mitigation measures	Allocation of risk (institution/ private party/ shared)
Financing	Required capital for capex and opex may not be raised / secured; loans repayments might be difficult; tax obligations may not have been fully taken into account or may change; fluctuating inflation, interest rates, oil prices and currency fluctuations may affect assumptions			
Supporting infrastructure	Supporting infrastructure may be inadequate to sustain the enterprise (inclusive of staff housing)			
Planning, design and construction	Planning consents may not be acquired or granted; the design may not be fit for the purpose; construction may not be completed on time and in budget or might be higher than anticipated			
Utilities	Utilities may not be fully available or may cause delays			
Utilities	Insufficient coverage (cell phone or landline) due to location			
Environment and heritage	Liability for losses caused by environmental or heritage damage or delays			
Maintenance	The costs of maintenance to required standards may vary from projections or maintenance may not be carried out			



Type of risk	General description of risk	Project-specific risk	Mitigation measures	Allocation of risk (institution/ private party/ shared)
Operations	Any factors (other than force majeure) that may impact on operations.			
Market, demand, volume	The demand for the product may be less than projected.			
Political	Unforeseeable conduct by any government institution may adversely affect the project, or the government may expropriate private party assets			
Force majeure	Unexpected events beyond either party's control			
Insurance risks	Loss of income caused by extreme events such as drought, fire or flooding			
Insurance risks	Public liability in the event of claims by clients related to hygiene deficiencies			



BIDDER’S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder’s declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise, employed by the state?

YES/NO

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution



2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

YES/NO

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, _____ the _____ undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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 consortium¹ will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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

¹ 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.



bid opening or of the awarding of the contract.

- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

..... Signature Date
..... Position Name of bidder



PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

1.2 To be completed by the organ of state

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

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100



- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS



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

80/20

$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

80/20

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—



- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

The 80/20 preference point system is applicable, corresponding points must also be indicated as such. Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
>51% Historically Disadvantaged Individuals Ownership (South African citizen - who, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (Act 200 of 1993)) 10-50% HDI Ownership <10% HDI Ownership	5 2.5 0	
Locality (Enterprises located in the Eastern Cape Province)	5	
>51% Youth Ownership 10-50% Youth Ownership <10% Youth Ownership	5 2.5 0	



>51% Women Ownership	3	
10-50% Women Ownership	1.5	
<10% Women Ownership	0	
>51% Disability Ownership	2	
10-50% Disability Ownership	1	
<10% Disability Ownership	0	
Total	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One-person business/sole propriety
 - Close corporation
 - Public Company
 - Personal Liability Company
 - (Pty) Limited
 - Non-Profit Company
 - State Owned Company
- [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the



conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....



PROOF OF ADDRESS

ATTACH PROOF OF ADDRESS



DRIVERS LICENSE

ATTACH PROFESSIONAL DRIVING PERMIT



JOINT VENTURE DISCLOSURE FORM

GENERAL

- i) All the information requested must be filled in the spaces provided. If additional space is required, additional sheets may be used and attached to the original documents.
- ii) A copy of the joint venture agreement must be attached to this form, in order to demonstrate the Affirmable, Joint Venture Partner's share in the ownership, control, management responsibilities, risks and profits of the joint venture, the proposed joint venture agreement must include specific details relating to:
 - a) the contributions of capital and equipment
 - b) work items to be performed by the Affirmable Joint Venture Partner's own forces
 - c) work items to be performed under the supervision of the Affirmable Joint Venture Partner.
- iii) Copies of all written agreements between partners concerning the contract must be attached to this form including those, which relate to ownership options and to restrictions/limits regarding ownership and control.
- iv) ABE partners must complete ABE Declaration Affidavits.
- v) The joint venture must be formalised. All pages of the joint venture agreement must be signed by all the parties concerned. A letter/ notice of intention to formalise a joint venture once the contract has been awarded will not be considered.
- vi) should any of the above not be complied with, the joint venture will be deemed null and void and will be considered non-responsive.

1. JOINT VENTURE PARTICULARS

- a) Name
- b) Postal address.....
.....
.....
.....
.....
- c) Physical address.....



.....
.....

d) Telephone

e) Fax

2. IDENTITY OF EACH NON-AFFIRMABLE JOINT VENTURE PARTNER

2.1(a) Name of Firm

Postal Address.....

Physical Address

Telephone.....

Fax

Contact person for matters pertaining to Joint Venture Participation Goal requirements:

.....

2.2(a) Name of Firm

Postal Address.....

Physical Address

Telephone.....

Fax

Contact person for matters pertaining to Joint Venture Participation Goal requirements:

.....

(Continue as required for further non-Affirmable Joint Venture Partners)

IDENTITY OF EACH AFFIRMABLE JOINT VENTURE PARTNER

3.1(a) Name of Firm

Postal Address.....

Physical Address

Telephone.....



Fax

Contact person for matters pertaining to Joint Venture Participation Goal requirements:

.....

3.2(a) Name of Firm

Postal Address.....

Physical Address

Telephone.....

Fax

Contact person for matters pertaining to Joint Venture Participation Goal requirements:

.....

3.3(a) Name of Firm

Postal Address.....

Physical Address

Telephone.....

Fax

Contact person for matters pertaining to Joint Venture Participation Goal requirements:

.....

1. BRIEF DESCRIPTION OF THE ROLES OF THE AFFIRMABLE JOINT VENTURE PARTNERS IN THE JOINT VENTURE

.....

.....

.....

5. OWNERSHIP OF THE JOINT VENTURE



a) Affirmable Joint Venture Partner ownership percentage(s)%

b) Non-Affirmable Joint Venture Partner ownership percentage(s)%

c) Affirmable Joint Venture Partner percentages in respect of: *

(i)

Profit and loss sharing

(ii)

Initial capital contribution in Rands

.....

.....

(*Brief descriptions and further particulars should be provided to clarify percentages).

(iii)

Anticipated on-going capital contributions in Rands

.....

.....

(iv) Contributions of equipment (specify types, quality, and quantities of equipment) to be provided by each partner.

.....

.....

.....

5. RECENT CONTRACTS EXECUTED BY PARTNERS IN THEIR OWN RIGHT AS PRIME CONTRACTORS OR AS PARTNERS IN OTHER JOINT VENTURES



	NON-AFFIRMABLE JOINT VENTURE PARTNERS	PARTNER NAME
a)		
b)		
c)		
d)		
e)		

	AFFIRMABLE JOINT VENTURE PARTNERS	PARTNER NAME
a)		
b)		
c)		
d)		
e)		

7. CONTROL AND PARTICIPATION IN THE JOINT VENTURE

(Identify by name and firm those individuals who are, or will be, responsible for, and have authority to engage in the relevant management functions and policy and decision making, indicating any limitations in their authority e.g. co-signature requirements and Rand limits).

(a) Joint Venture cheque signing

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

(b) Authority to enter into contracts on behalf of the Joint Venture

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

(c) Signing, co-signing and/or collateralising of loans

.....
.....



-
- (d) Acquisition of lines of credit
 -
 -
 -
- (e) Acquisition of performance bonds
 -
 -
 -
- (f) Negotiating and signing labour agreements
 -
 -
 -

8. MANAGEMENT OF CONTRACT PERFORMANCE
 (Fill in the name and firm of the responsible person).

- (a) Supervision of field operations.....
- (b) Major purchasing.....
- (c) Estimating
- (d) Technical management

9. MANAGEMENT AND CONTROL OF JOINT VENTURE

- (a) Identify the “managing partner”, if any,
 -



.....

(b) What authority does each partner have to commit or obligate the other to financial institutions, insurance companies, suppliers, subcontractors and/or other parties participating in the execution of the contemplated works?

.....
 .

 .

 .

(c) Describe the management structure for the Joint Venture's work under the contract

MANAGEMENT FUNCTION / DESIGNATION	NAME	PARTNER*

(Fill in "ex Affirmable Joint Venture Partner" or "ex non-Affirmable Joint Venture Partner".



10. PERSONNEL

(a) State the approximate number of operative personnel (by trade/function/discipline) needed to perform the Joint Venture work under the Contract.

TRADE/FUNCTION/ DISCIPLINE	NUMBER EX AFFIRMABLE JOINT VENTURE PARTNERS	NUMBER EX NON- AFFIRMABLE JOINT VENTURE PARTNERS

(Fill in “ex Affirmable Joint-Venture Partner” or “ex non-Affirmable Joint-Venture Partner”).

(b) Number of operative personnel to be employed on the Contract who are currently in the employ of partners.

(i) Number currently employed by Affirmable Joint Venture Partners

.....

(ii) Number currently employed by the Joint Venture

.....

(c) Number of operative personnel who are not currently in the employ of the respective partner and will be engaged on the project by the Joint Venture

.....

(d) Name of individual(s) who will be responsible for hiring Joint Venture employees

.....



.....
(e) Name of partner who will be responsible for the preparation of Joint Venture payrolls

.....
11. CONTROL AND STRUCTURE OF THE JOINT VENTURE

Briefly describe the manner in which the Joint Venture is structured and controlled.

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

The undersigned warrants that he/she is duly authorised to sign this Joint Venture Disclosure Form and affirms that the foregoing statements are true and correct and include all material information necessary to identify and explain the terms and operations of the Joint Venture and the intended participation of each partner in the undertaking.

The undersigned further covenants and agrees to provide the Employer with complete and accurate information regarding actual Joint Venture work and the payment therefore, and any proposed changes in any provisions of the Joint Venture agreement, and to permit the audit and examination of the books, records and files of the Joint Venture, or those of each partner relevant to the Joint Venture, by duly authorised representatives of the Employer.

Signature

Duly authorized to sign on behalf of

Name

Address.....

Telephone.....

Date.....

Signature

Duly authorized to sign on behalf of

Name



Address.....
Telephone.....
Date

Signature

Duly authorized to sign on behalf of

Name

Address.....

Telephone.....

Date

Signature

Duly authorized to sign on behalf of

Name



JOINT VENTURE AGREEMENT

ATTACH JOINT VENTURE AGREEMENT



COMPANY DETAILS

The following company details schedule must be completed to ensure that the prerequisite requirements to bidding are met.

Registered Company Name	
Company Registration Number	
VAT Number	
Bank Name	
Branch Name	
Bank Account Number	
Professional Registration Details	
Professional Indemnity Details	



PROOF OF INSURANCE AND LIABILITY COVER

**ATTACH PROOF OF INSURANCE AND LIABILITY
COVER HERE**



AUTHORITY TO SIGN BID DOCUMENTS

In the case of a bid being submitted on behalf of a company, close corporation or partnership, evidence must be submitted to ECPTA at the time of submission of the bid that the bid has been signed by persons properly authorized thereto by resolution of the directors or under the articles of the entity.

Please attach proof to the next page.



ATTACH RESOLUTION OF SIGNATORY

