



T24/04/2024

**ADVISORY SERVICES FOR THE
DEVELOPMENT OF A DETAILED
BUSINESS CASE FOR THE NKOMAZI
SPECIAL ECONOMIC ZONE (SEZ)**

NON-COMPULSORY BRIEFING SESSION

DATE: 25 APRIL 2024 AT 11:00 AM

VENUE: MICROSOFT TEAMS

LINK: [Join the meeting now](#)

BID CLOSING DATE:

6 MAY 2024 AT 11:00 AM

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SECTION 1: GENERAL CONDITIONS OF BID

1. Proprietary Information

Industrial Development Corporation of SA Ltd (IDC) considers this Request for Proposal (RFP) and all related information, either written or verbal, which is provided to the respondent, to be proprietary to IDC. It shall be kept confidential by the respondent and its officers, employees, agents and representatives. The respondent shall not disclose, publish, or advertise this RFP or related information to any third party without the prior written consent of IDC.

2. Enquiries

2.1 All communication and attempts to solicit information of any kind relative to this RFP should be channelled **in writing** to:

Name:	Ms. Ntombifikile Mokgeseng
Telephone Number:	+27 11 269 4381
Email address:	ntombifikilem@idc.co.za

2.2 Enquiries in relation to this RFP will not be entertained after **16h00 on 2 May 2024**.

2.3 The enquiries will be consolidated, and IDC will issue one response and such response will be posted, within two days after the last day of enquiries, onto the IDC website (www.idc.co.za) under tenders i.e., next to the same RFP document.

2.4 The IDC may respond to any enquiry in its absolute discretion and the bidder acknowledges that it will have no claim against the IDC on the basis that its bid was disadvantaged by lack of information, or inability to resolve ambiguities.

3. Bid Validity Period

Responses to this RFP received from bidders will be valid for a period of **120** days counted from the bid closing date.

4. Instructions on submission of Bids

4.1 Bid responses must be submitted in electronic format only and must be e-mailed to the dedicated e-mail address as provided herein.

4.2 Bid responses should be in generally acceptable / standard electronic file format/s (i.e., Microsoft suite of products or pdf) to enable access thereto by the IDC for purposes of evaluating responses received. Where documents are presented in a format which cannot be accessed by the IDC through generally acceptable formats, such bid response will be disqualified.

4.3 The closing date for the submission of bids is **6 May 2024** not later than **11:00 AM (before midday)**. No late bids will be considered. Bids must **only** be uploaded on **IDC e-tender portal**, any tender submitted by other means than the one specified herein will be disqualified and will not be considered for evaluation.

4.4 The IDC will not be held responsible for any of the following:

4.4.1 bid responses not submitted via IDC e-tender portal;

4.4.2 bid responses being inaccessible due to non-standard electronic file formats being utilised to submit responses by bidders;

4.4.3 any security breaches and unlawful interception of tender / bid responses by third parties outside the IDC's IT network domain;

4.4.4 bid responses received late due to any IT network related congestions and/or technical challenges; and

- 4.5 Where a complete bid response (Inclusive of all relevant Schedules) is **not uploaded on the IDC e-tender portal** by the closing date and time, such a bid response will be regarded as incomplete. Such incomplete bid will be disqualified.
- 4.6 Amended bids may be uploaded **before** the closing date and time of the bid.

5. Preparation of Bid Response

- 5.1 All the documentation submitted in response to this RFP must be in English.
- 5.2 The bidder is responsible for all the costs that it shall incur related to the preparation and submission of the bid document.
- 5.3 Bids submitted by bidders which are or are comprised of companies must be signed by a person or persons duly authorised thereto by a resolution of the applicable Board of Directors, a copy of which Resolution, duly certified, must be submitted with the bid.
- 5.4 The bidder should check the numbers of the pages of its bid to satisfy itself that none are missing or duplicated. No liability will be accepted by IDC in regard to anything arising from the fact that pages of a bid are missing or duplicated.
- 5.5 Bidder's tax affairs with SARS must be in order (tax compliant status) and bidders must provide written confirmation to this effect as part of their tender response.
- 5.6 Where the bidder proposes to use a subcontractor for the execution of part of the scope of work of the contract, the bidder may not sub-contract more than 40% of the value of the contract. The IDC will assess whether the proposed subcontractor(s) meets the relevant requirements and/or conditions of the tender.

6. Supplier Performance Management

Supplier Performance Management is viewed by the IDC as a critical component in ensuring value for money acquisition and good supplier relations between the IDC and all its suppliers.

The successful bidder shall upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with the IDC, which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor, and assess the supplier performance and ensure effective delivery of service, quality and value-add to IDC's business.

Successful bidders will be required to comply with the above condition, and also provide a scorecard on how their product / service offering is being measured to achieve the objectives of this condition.

7. Enterprise and Supplier Development

The IDC promotes enterprise development. In this regard, successful bidders may be required to mentor SMMEs and/ or Youth-Owned businesses. The implications of such arrangement will be subject to negotiations between the IDC and the successful bidder.

8. IDC's Rights

- 8.1 The IDC is entitled to amend any bid condition, bid validity period, RFP specification, or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFP documents have been issued and where the IDC have record of such bidders, may be

advised in writing of such amendments in good time and any such changes will also be posted on the IDC's website under the relevant tender information. All prospective bidders should therefore ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.

- 8.2 The IDC reserves the right not to accept the lowest priced bid or any bid in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and/or financially advantageous to the IDC.
- 8.3 The IDC reserves the right to award this bid as a whole or in part.
- 8.4 The IDC reserves the right to conduct site visits at bidder's corporate offices and / or at client sites if so required.
- 8.5 The IDC reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in the **National Treasury Instruction 02 of 2016/2017: Cost Containment Measures**, where relevant.
- 8.6 The IDC reserves the right to request all relevant information, agreements, and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the IDC to conduct background checks, including FICA verification, on the bidding entity and any of its directors / trustees / shareholders / members.
- 8.7 The IDC reserves the right, at its sole discretion, to appoint any number of vendors to be part of this panel of service providers, if applicable (i.e., where a panel is considered).
- 8.8 The IDC reserves the right of final decision on the interpretation of its tender requirements and responses thereto.
- 8.9 The IDC reserves the right to consider professional conduct and experiences it had with any bidder which rendered similar services to the IDC in the past 5 years over and above the references put forward by the bidder in its response.

9. Undertakings by the Bidder

- 9.1 By submitting a bid in response to the RFP, the bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the IDC on the terms and conditions and in accordance with the specifications stipulated in this RFP document.
- 9.2 The bidder shall prepare for a possible presentation should IDC require such and the bidder will be required to make such presentation within five (5) days from the date the bidder is notified of the presentation. Such presentation may include a practical demonstration of products or services as called for in this RFP.
- 9.3 The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the IDC during the bid validity period indicated in this RFP and its acceptance shall be subject to the terms and conditions contained in this RFP document read with the bid.
- 9.4 The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this RFP; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.

- 9.5** The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with IDC, as the principal(s) liable for the due fulfilment of such contract.
- 9.6** The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with its bid will become IDC property unless otherwise stated by the bidder/s at the time of submission.

10. Reasons for disqualification

- 10.1** The IDC reserves the right to disqualify any bidder which does any one or more of the following, and such disqualification may take place without prior notice to the offending bidder, however the bidder will be notified in writing of such disqualification:
- 10.1.1 bidders whose Tax Status is non-compliant on the Central Supplier Database (CSD), after they have been notified accordingly and still remain non-compliant;
 - 10.1.2 bidders who submit incomplete information and documentation according to the requirements of this RFP document;
 - 10.1.3 bidders who submit information that is fraudulent, factually untrue, or inaccurate information;
 - 10.1.4 bidders who receive information not available to other potential bidders through fraudulent means;
 - 10.1.5 bidders who do not comply with any of the **mandatory requirements** as stipulated in the RFP document;
 - 10.1.6 bidders who fail to comply with POPIA requirements as listed herein.

11. Returnable Schedules

Bidders shall submit their bid responses in accordance with the returnable schedules specified below (each schedule must be clearly marked):

- 11.1 Cover Page:** (the cover page must clearly indicate the RFP reference number, bid description and the bidder's name)
- 11.2 Schedule 1:**
- 11.2.1 Executive Summary (explaining how you understand the requirements of this RFP and the summary of your proposed solution)
 - 11.2.2 Annexure 1 of this RFP document (duly completed and signed)
- 11.3 Schedule 2**
- 11.3.1 Copy of Board Resolution, duly certified;
 - 11.3.2 Originally certified copy of ID document for the Company Representative
 - 11.3.3 Annexure 2 of this RFP document (duly completed and signed);
 - 11.3.4 Annexure 3 of this RFP document (duly completed and signed);
 - 11.3.5 Annexure 4 of this RFP document (duly completed and signed);
 - 11.3.6 Response to Annexure 6: BEE Commitment Plan
 - 11.3.7 Bidders must submit a B-BBEE verification certificate. For Exempted Micro Enterprises (EME) with an annual revenue of less than R10 million and Qualifying Small Enterprises (QSE) with an annual revenue of between R10 million and R50 million per annum, a sworn

affidavit confirming the annual total revenue and level of black ownership may be submitted. Any misrepresentation in terms of the declaration constitutes a criminal offence as set out in the B-BBEE Act as amended.

Note: If a bidder is a Consortium, Joint Venture or Prime Contractor with Subcontractor(s), the documents listed above must be submitted for each Consortium/ JV member or Prime Contractor and Subcontractor(s).

- 11.3.8 Annexure 7 of this RFP document ((duly completed and signed)
- 11.3.9 Annexure 8 of this RFP document (duly completed and signed, if applicable);
- 11.3.10 Statement of Financial Position of the Bidder: Latest Audited Financial Statements (where applicable in terms of the Company's Act) and/or independently reviewed financial statements and/or Cashflow Budget for new entities with no financial records.
- 11.3.11 Copy of Joint Venture/ Consortium/ Subcontracting Agreement duly signed by all parties (if applicable)
- 11.4 Schedule 3:**
 - 11.4.1 Response to Section 2 of this document, in line with the format indicated in this RFP document.
 - 11.4.2 Annexure 5 of this RFP document duly completed and signed.
- 11.5 Schedule 4:** Price Proposal (response to Section 3 of this RFP document) (*Must be submitted as a separate file/document marked Schedule 4: Price Proposal*)

12. Evaluation Criteria and Weightings

Bids shall be evaluated in terms of the following process:

- 12.1 Phase 1: Initial Screening Process:** During this phase, bid responses will be reviewed for purposes of assessing compliance with RFP requirements including the general bid conditions and also the Specific Conditions of Bid, which requirements include the following:
 - Verification of Central Supplier Database (CSD) registration, Company Registration status, tax compliance status and any other relevant checks conducted on CSD.
 - Submission of ID copy for the Company Representative as referenced in 12.3.4 above.
 - BEE Status Certification as referenced in 12.3.11 above.
 - Completion of all Standard Bidding Documents and other requirements, as reflected in this RFP, which covers the following:
 - Section 2: Statement of compliance with the Functional Evaluation Criteria for this RFP
 - Section 3: Cost Proposal and Price Declaration Form
 - Annexure 1: Acceptance of Bid Conditions
 - Annexure 2: Tax Compliance Requirements
 - Annexure 3: Bidder's Disclosure
 - Annexure 4: Shareholders' Information/ Group Structure
 - Annexure 5: Bidders Experience & Project Team
 - Annexure 6: BEE Commitment Plan
 - Annexure 7: Disclosure Statement
 - Annexure 8: Privacy & Protection of Personal Information Act 4 of 2013 Requirements

Failure to comply with the requirements assessed in Phase 1 (compliance), may lead to disqualification of bids.

12.2 Phase 2: Technical/ Functionality Evaluation

Bid responses will be evaluated in accordance with the Functional criteria as follows:

12.2.1 Mandatory Functional/ Technical Requirements

All bid responses that do not meet the Mandatory Functional Requirements will be disqualified and will not be considered for further evaluation on the Other Functional Requirements. The Mandatory Functional Requirements are stated in section 2 of this RFP document.

Failure to comply with the Mandatory Functional Requirements assessed in this phase will lead to disqualification of bids.

12.2.2 Other Functional/ Technical Requirements

With regards to the other Functional Requirements, the following criteria (set out in more detail in section 2 of this RFP document) and the associated weightings will be applicable:

ELEMENT	WEIGHT
Bidder's relevant Experience	20
Bidder's proposed Methodology	40
Bidders proposed Project Plan	10
Qualifications, Skills, and Experience of key personnel	30
TOTAL	100

Note: The minimum qualifying score for functionality is 70%. All bidders that fail to achieve the minimum qualifying score on functionality shall not be considered for further evaluation on Price and Specific Goals.

12.3 Phase 3: Preference Point System

All bids that achieve the minimum qualifying score for Functionality (acceptable bids) will be evaluated further in terms of the preference point system, as follows:

CRITERIA	POINTS
Price	80
Specific Goals ¹	20
TOTAL	100 points

¹Specific Goals for this tender and points that may be claimed are indicated per table below:

SPECIFIC GOALS	POINTS
	(80/20 system)
Black ownership ²	10
30% Black women ownership	5
Any % of ownership by Black Designated Groups ³	2
Reconstruction Development Programme Objective: Promotion of SMMEs (Entities that are EME or QSE)	3
TOTAL POINTS	20

²Black ownership: 100% black owned entities will score the full 10 points (if 80/20 system), and between 51% - 99.99% black owned entities will score 4 points (if 80/20 system).

³ Black Designated Groups has the meaning assigned to it in the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Act as amended.

12.4 Phase 4: Objective Criteria

To ensure that a contract is awarded fairly and to the best bidder, the IDC will apply the objective criteria. Therefore, the IDC reserves the right to withhold the award of a contract to the highest scoring bidder if the award poses a risk to the IDC.

Objective Criteria are:

- The bidder that poses reputational risk to the IDC. This will be assessed in line with the bidder's disclosure (Refer to Annexure 7: Disclosure statement of this document).
- The bidder's financial capability in relation to the execution of the contract.
- The bidder's past performance in IDC contracts.

13. Promotion of Emerging Black owned Service Providers

It is the IDC's objective to promote transformation across all industries and/ or sectors of the South African economy and as such, bidders are encouraged to partner with a black owned entity (being 50%+1 black owned and controlled). Such partnership may include the formation of a Joint Venture and/ or subcontracting agreement etc., where a portion of the work under this tender would be undertaken by black owned entities. To give effect to this requirement, bidders are required to submit a partnership / subcontracting proposal detailing the portion of work to be outsourced, level of involvement of the black owned partner and where relevant, submit either a consolidated B-BBEE scorecard or each bidder of the partnership in their individual capacity to submit a BEE certificate or Sworn Affidavit in case of an EME or QSE which will be considered as part of the Specific Goals scoring listed in 13.3.

SECTION 2: FUNCTIONAL REQUIREMENTS SPECIFICATION

SECTION 2: FUNCTIONAL REQUIREMENTS SPECIFICATION

1. Special instructions to bidders

- 1.1 Should a bidder have reason to believe that the Functional Requirements are not open/fair and/or are written for a particular service provider; the bidder must notify IDC Procurement within five (5) days after publication of the RFP.
- 1.2 Bidders shall provide full and accurate answers to the questions posed in this RFP document, and, where required explicitly state “Comply/Not Comply” regarding compliance with the requirements. Bidders **must** substantiate their response to all questions, including full details on how their proposal/solution will address specific functional/ technical requirements; failure to substantiate may lead to the bidder being disqualified. All documents as indicated must be supplied as part of the bid response.
- 1.3 Failure to comply with Mandatory Requirements may lead to the bidder being disqualified.

2. Background Information

2.1. BACKGROUND

Government seeks to shift the national economy onto an inclusive, value-adding, and exports-driven industrialisation pathway. The National Development Plan 2030 (NDP), the New Growth Path (NGP) and the Industrial Policy Action Plan (IPAP) encapsulate the key policy thrusts for the reorientation of the economy to create jobs, and rollback poverty and under-development. The 2050 National Infrastructure Plan Phase 1 (Government Gazette, 11 March 2022) notes that by 2050, Special Economic Zone (SEZ)-type developments will surround intermodal linkage nodes and will be framed to leverage industrialisation opportunities.

The SEZ programme is one of the critical tools that government has prioritized to drive the country’s reindustrialization. The programme is specifically designed to attract Foreign Direct Investment (FDI), improve existing infrastructure, develop new industrial hubs, and create significant employment opportunities. The SEZ Act (No. 16 of 2014), its key legislative framework as well as the promulgated regulations, form the legal backdrop for the implementation and roll-out of the SEZ programme.

The SEZ policy and legislative framework aims to achieve the following:

- i. Promote industrial agglomeration.
- ii. Mobilise investment and deployment of the required industrial infrastructure.
- iii. Promote coordinated planning among key government agencies and the private sector; and to
- iv. Guide the deployment of other necessary development tools.

The Mpumalanga Provincial Department of Economic Development and Tourism (MPDED&T) is in the process of establishing a Special Economic Zone (SEZ) in Komatipoort – a town under the jurisdiction of the Nkomazi Local Municipality, Mpumalanga Province. The establishment of the NKOMAZI SEZ is being undertaken in phases as follows:

- i. The Designation Phase;
- ii. Interim Phase; and
- iii. Development Phase.

The designation phase is completed, and the entity is currently busy with the activities of the interim phase. One of the key activities that are still underway in this phase is the development of detailed engineering designs. The Nkomazi Special Economic Zone intends to rollout bulk infrastructure and is seeking funding for the construction phase.

The Nkomazi Special Economic Zone seeks to appoint a professional services provider to develop the business case according to National Treasury Budget Facility for Infrastructure (BFI) Guideline to obtain CAPEX funding and financing support for the project either from National Treasury or any other Development Finance Institutions.

3. Scope of work/Terms of reference

3.1 SCOPE OF WORK

The service provider is required to prepare a Detailed Business Case for the Nkomazi Special Economic Zone in line with the Budget Facility for Infrastructure (BFI) Guidelines of National Treasury. The submission should address, but not limited to, the following detailed work packages as outlined in the BFI Guideline of 2023:

3.1.1 A description of the project or programme, project stage and justification of why it is regarded as a national priority.

The service provider shall:

- i. Support the project sponsor in defining the project description as a summary of key information that includes the name, location, duration, objective, outputs, and other main features of the project. The description of the project or programme must briefly describe the process followed in ranking and prioritisation of the project/programme resulting in it being a national priority. It should also contain the details of the sponsoring entity (which can be a national department, provincial department, municipality, or public entity); the legal mandate under which the implementing institutions operate; the name and contact details of the project officer within the sponsoring entity and the details of other institutions involved in the project.
- ii. To provide a clear indication of the project stage.

3.1.2 A comprehensive description of the prioritisation and approval process undertaken by the sponsoring institution resulting in the project or programme being a national priority and a clear justification or rationale for the proposal.

- i. The purpose of the justification statement is to explain the need for the proposal at the highest level in a clear, coherent, and logical manner. It should explain why the proposal is a national priority and motivate the justification for shifting resources from other pressing needs to this activity.
- ii. As per the BFI Guideline (2023), the rationale for the intervention includes the following steps:
 - The Project Sponsor must first identify and state the problem in a clear and precise manner. A precise definition of the problem that is to be solved by the proposal is vital to the appraisal, planning, implementation, and successful completion of the project. This should lead to a clear identification and quantification of the demand

that underpins the intervention.

- Why the intervention is likely to be cost-effective (i.e., that the benefits of intervention will exceed the costs).
- A description of the potential beneficiaries of the project and an explanation of their selection.
- The negative consequences and risks associated with the intervention, as well as the results of not intervening, both of which must be outweighed by the benefits to justify action.

3.1.3 The objectives, outcomes, and targets that the proposal seeks to achieve.

Objectives should be expressed in general terms so that the range of options to meet them can be considered. Objectives should be defined in such a way that progress toward meeting them can be monitored. Measurable indicators that illustrate when these objectives have been met should be suggested. They should be focussed on the factors that are critical to success and reflect the eventual benefits to society that the project will generate.

It is also important to identify project outcomes that are directly related to the Project Objective(s). A common mistake made by Project Sponsors is when broad economic impacts are considered in the analysis, which are not directly aligned with the specific objective(s) of the project. For instance, while an infrastructure project may create employment, not every project will be economically feasible and, therefore, sustainable. Where relevant, for purposes of meeting government's socio-economic targets, employment numbers should however be quantified and recorded under employment categories such as "construction", "permanent", "temporary", etc. Socio-economic analysis must be calculated with the Social Accounting Matrix for South Africa tool.

The analysis of the objective(s) of the project must include the definition of the outputs that would be produced by the project, the expected outcomes, and how these outcomes will help to achieve the overall objective(s) of the project.

Project sponsors must show that the objective(s) align with the organisation's priorities and aspirations, the sector development plan, and the other development strategies. This alignment is commonly demonstrated using Specific, Measurable, Achievable, Relevant, and Time-Bound (SMART) indicators.

3.1.4 Options Analysis

This section should describe the options that were considered during the development of the proposal. The purpose of options appraisal is to develop a cost-effective solution that meets the objectives of government. Creating and reviewing options helps decision-makers understand the potential range of solutions that may be considered. An options analysis involves the identification and analysis of various strategies that can be used to achieve the project's objective(s). An options analysis is used to assess and compare the identified options based on specific criteria.. The project sponsor should, for every option, answer a range of questions such as:

- i. Did the options analysis consider a reasonable range of alternatives available to address the core problem?

- ii. Are the options' cost estimates accurate and reasonable?
- iii. Was operation and maintenance costs (O&M) of different options considered in selecting the preferred alternative?
- iv. Is the proposed technical solution practically implementable, sustainable, and does it provide a solution to the stated problem?
- v. Are there significant adverse environmental and social consequences of the proposed solution? Can they be mitigated, and at what cost?
- vi. Are there sufficient human and administrative resources to deliver the project and assure adequate operation of the facilities?
- vii. Is the implementing authority capable of delivering the project within time, scope, and budget?
- viii. Are there any legal barriers that may jeopardize project implementation or operations?

Each alternative should be clearly described together with a summary of its associated advantages and disadvantages and a quantification of the preliminary costs and benefits of each option relative to the objectives of the proposal. The summary should explain why the preferred option meets the objectives more effectively than other options, and how the preferred option gives the best value-for-money for government. Evidence contained in the supporting documentation should be summarised and referenced to support the argument that the preferred solution is the best solution.

3.1.5 A socio-economic analysis, including estimates of economic costs and benefits associated with the intervention and anticipated social and distributional impacts

To justify fiscal support, a credible analysis of social and economic benefits and costs is essential. This section of the primary submission is likely to be the most extensive. It provides information that enables the assessment of welfare changes due to the project and estimation of the project's impact on all segments of the society via the calculation of economic performance indicators such as the Economic Net Present Value (ENPV), the Economic Rate of Return (ERR) and Cost-Effective Ratios (CER).

From the Government's perspective, the viability of an infrastructure project is determined based on its economic benefits and costs, rather than solely on the results of a financial analysis. However, the financial analysis provides the basis for the economic appraisal of a project and should be conducted in a way that allows the consistent conversion of the financial cash flows of a project into its economic resource flows of costs and benefits. Only projects that are economically feasible and cost-effective will be considered.

The alternatives identified in the options analysis must be subjected to a Cost Benefit Analysis (CBA) and/or Cost Effectiveness Analysis (CEA) to assess their economic viability. The detailed analysis should be provided in the supporting documentation, which should be summarised and referenced to in the primary submission to support the proposal.

A CBA methodology is employed when the costs and the benefits of the project can be monetized. On the other hand, there are projects where the objective is to select the investment of a combination of investments to deliver a specific quantity of a good or service at minimum cost. The CEA assesses each option on its relative costs, to select the most cost-effective option i.e., the least costly option, or the options that has the

least cost per unit of benefit. The Infrastructure Planning and Appraisal Guideline provides the details on the methodologies for the CBA and CEA. The National Treasury has also developed a database of Commodity-Specific Economic Conversion Factors that is necessary to conduct a CBA. These parameters are available for use by project sponsors at <http://sa.cri-world.com/>

- i. A sensitivity analysis should be included as part of the CBA/CEA.
- ii. As part of the socio-economic analysis, the Project Sponsor should, answer a range of questions such as:
 - Is the methodology selected for economic evaluation appropriate for this category of projects?
 - Did the economic analysis consider all major externalities such as social, climate change, gender, etc.? The service provider will provide an assessment of the financial, structuring, and modelling requirements for each of the commercial options which will include the following as a minimum:
 - Have economic indicators (ENPV, ERR, Cost Effectiveness Ratio) been calculated considering correct categories of costs and benefits?
 - Is the project economically viable (i.e., $ENPV > 0$, $ERR > EOCK$)?
 - Did sensitivity analysis consider major risk variables?
 - Is the proposed risks prevention and mitigation strategy adequate?
 - Is there an overall high probability of achieving the objective(s) of the project?

3.1.6 A budget statement for the proposal, which includes a financial and funding model, cash flow projections, a statement of capital, maintenance and, operating costs as well as other budget requirements for the intervention over its full lifecycle.

The affordability of options should always be considered when appraising proposals. In addition to the analysis of socio-economic costs and benefits, the primary submission should include the following financial statements which are essential to plan for budget allocations over the full lifecycle of the intervention. All these financial statements should be stated over the full useful life of the asset in current prices (i.e., nominal rand) using clearly specified rates of inflation to escalate costs.

- i. **An expenditure statement** - This should detail all the payments that will be required to deliver the project/programme. The expenditure statement should cover all capital payments involved in the construction of the asset and financing charges associated with funding the proposal. It should detail the maintenance (annual and periodic upgrades required) and operating payments associated with running the asset over its useful life, including labour costs, machinery and equipment, utilities. These payments would include any costs that will be borne by any government or public institution, whether they are directly involved in planning or executing the proposal. Expenditure implications for other spheres of government or public entities should be clearly specified.
- ii. **A funding statement** - This should show all the resources that will be mobilised to implement the proposal and support the operation of the asset over its full lifecycle. This might include resources redirected from within the department's baseline, additional resources transferred from the fiscus (such as grants), partners and external organisations providing the resources (and in some cases cash) required, and user

charges or other forms of funding internal to the project itself. Any debt (including concessional loans) or equity obligations or leasing arrangements that the project sponsor intends to mobilise in favour of the project must be clearly disclosed in the funding statement, together with their terms and provisions.

- iii. **A cash-flow statement** - A comprehensive account of the annual inflows and outflows of cash associated with the proposal because of capital, operations, and financing activities over the full lifecycle of the asset.
- iv. **A contingent liability statement** - Some proposals expose the government/fiscus to contingent liabilities – that is commitments to future expenditure if certain events occur. Any guarantees, provisions or other obligations that could give rise to fiscal liabilities in the future because of some explicit contractual eventuality should be fully disclosed. The contingent liability statement should give details of all explicit liabilities that will accrue to government that includes external financing whether the external finance is in full or in part or as part of a blended financing arrangement. It should also describe what contingent liabilities might arise, a description of the possible consequences and the mitigation plan.

As part of the budget statement, the Project Sponsor should, answer a range of questions such as:

- Does the project generate financial revenues?
- Was affordability analysis carried out to ensure that the project is affordable?
- Is the project financially sustainable, i.e., are financial revenues sufficient to finance the operations and maintenance expenditures?
- If not sustainable, is there a plan to meet cash flow requirements for the periods where cash flow is negative?
- Is there a proposal for a blended /PPP procurement modality?

3.1.7 The main risks – including technical, financial, economic, social, political and any other risks.

Risk analysis is concerned with the identification of a project's risk variables, the analysis of the impacts of these risk variables on the project, and the interpretation of the results in the presence of uncertainty. In appraisals, it is likely that there will be differences between what is expected, and what eventually happens, because of the complexities of delivering these projects as well as biases inherent in the appraisal, and risks and uncertainties that materialise.

Qualitative analysis is one of the approaches used to assess the project's risks during project preparation and appraisal. Qualitative analysis uses a relative or descriptive scale to measure the probability of a risk event occurring. This can be achieved by using a risk matrix that:

- i. Identifies the project's risks.
- ii. Defines the rating scales of the identified risks in terms of their likelihood of occurring and the potential impacts of the risks on the success of the project; and
- iii. Aggregates the risks.

Quantitative risk analysis considers the fact that circumstances may occur, which result in future (actual) benefits/outcomes and costs being different from the expected values. This potential variance is a function of the chance that an actual value will differ from the

expected value and the associated consequences.

The main risks – including technical, financial, economic, social, and political risks – that are anticipated by the project sponsors should be clearly stated. The risk statement should approximate the financial impact that these factors could have on project costs and revenues. It should also assign a probability of the event occurring and provide details of the mitigating actions that could manage the risk.

Sensitivity Analysis is a way of methodically testing how responsive a project's selection criteria (NPV, ENPV or any other relevant criterion) is to a change in key project variables. Sensitivity analysis enables an examination of how sensitive the financial and economic outcomes are to specific assumptions made in the project evaluation. The sensitivity of the economic analysis and financial statements to changes in key economic variables should also be considered. This includes assumptions on the key variables which may include exchange rates, interest rates, economic growth, population growth and demand for services.

Many parameters are affected by optimism bias – appraisers tend to overstate benefits, and understate timings and costs, both capital and operational. Appraisers should be alert to these biases and make explicit adjustments to counter it. Sensitivity analysis should be used to test the robustness of assumptions about operating costs and expected benefits. Where possible, adjustments should be empirically based, (e.g., using data from past projects or similar projects elsewhere), and adjusted for the unique characteristics of the project at hand.

As part of the risk and sensitivity analysis, the Project Sponsor should, answer a range of questions such as:

- Did sensitivity analysis consider major risk variables?
- Is the proposed risks prevention and mitigation strategy adequate?
- Is there an overall high probability of achieving the objective(s) of the project?
- Have the necessary steps been taken to mitigate risk and allocate residual risks appropriately?

3.1.8 The procurement plan associated with the proposal.

A Procurement Strategy details the selected packaging, contracting, pricing, and targeting options for all the required goods and services or a combination thereof as well as the procurement procedure to ensure alignment to Constitutional requirements and other legislative requirements. The rationale for adopting a particular option(s) compared to alternatives must be clearly demonstrated. The goal is to take appropriate decisions in relation to available procurement options and prevailing circumstances to achieve optimal outcomes. A Procurement Strategy must include the following:

- i. The procurement needs of the project or programme: The professional services, implementing agent, contractors, operations, and maintenance, etc. must be explained. The organisation of work packages into contracts must be included here.
- ii. Delivery method: The choice of whether the traditional procurement or non-traditional procurement will be used to procure the project/programme must be

indicated.

- iii. Contracting strategy: The strategy indicates the optimal contracting method to deliver the infrastructure, and includes options such as design by employer, develop and design, design and construct, construction management, or management contractor, etc.
- iv. Pricing strategy: Provides an indication of how the financial offers will be secured and how the contracts will be remunerated. The general options here are price-based, cost-based, and performance-based.
- v. Procurement targeting: Entails the establishing how the delivery of the project or programme will target developmental or secondary objectives as well as procedures that may be used to promote social and economic objectives.
- vi. Procurement procedure: Involves the alignment to requirements for a fair, equitable, transparent, competitive, and cost-effective process. Options may include a negotiated procedure, competitive selection, or a combination of the two.

In deciding on an appropriate set of options to deliver a project or programme, a procurement strategy must consider various options available in respect of each of the above listed aspects, detail the advantages and disadvantages of each option, risks and trade-offs, and the rationale for the chosen option(s).

3.1.9 Institutional and Operational Readiness

Sufficient capacity to deliver the project on time, on budget and to specifications should be demonstrated. An institutional arrangement that is conducive to effective delivery is critical. The analysis should demonstrate that the institutions responsible for implementation, including project management, and operational responsibility will be appropriate to the task. Key questions that should guide the preparation of this section include:

- Has the technical and legal due diligence been undertaken?
- Are there suitable incentives or penalties in place to ensure delivery?
- Are there any major statutory or regulatory constraints that may prevent efficient project implementation and/or operation?
- Are there any jurisdictional conflicts between government entities/institutions that need to be resolved before the project can proceed to implementation?
- Are land rights secured? If not, is there a detailed plan on how it will be secured?
- If the project involves multiple public institutions, is there a stakeholder coordination plan?
- Does the Project Sponsor/Implementing Institution have a good record of successful delivery of projects of similar nature?
- Are there any other constraints that may prevent efficient project implementation or operation?
- Are there necessary health and safety plans?
- Can funds for the project be secured?
- What is the current financial position of the executing and operating institution(s)?
- What is the governance structure within the institution in relation to the proposed project and have arrangements to promote good governance by all implementing parties been put in place?
- Have the human resources requirements for the successful delivery of the project been clearly outlined including the following:

- Capacity constraints relating to the project team and the technical advisors and a plan to address such constraints over the project's life; and
- Envisaged strategy for skills transfers from the technical advisors to the project team.
- The implementing institution's project officer and team, including names of the team members, allocated roles within the project, relevant skills, and brief CV's.
- Appointed technical advisors, including allocated roles within the project, relevant skills, and brief CVs, and;
- Budget available for project management.
- Is there an adequate monitoring and evaluation plan for the project?

3.2. Workflow Process

The following are key steps in the workflow for the execution of the services:

- i. The service provider will develop a detailed BFI submission for the project. The CBS and CEA methodology is discussed in the National Treasury publication Infrastructure Planning and Appraisal Guideline (2022/23FY and 2023 MTEF) (www.treasury.gov.za/publications/guidelines)
- ii. A joint review of the draft submission will be held, after which the service provider will update the submission as discussed; (MS Word format and summary MS PowerPoint presentation) to be issued to the IDC.
- iii. Progress meetings shall be held with the IDC on a fortnightly basis.
- iv. A further review will be held in which the service provider will present the final Budget Facility for Infrastructure submission. The service provider will provide a final report, 20-page summary report, and presentation based on its findings and the input received from the IDC and Nkomazi SEZ.

3.3. General

- i. The Service Provider shall inform IDC prior to contacting any third parties to obtain information or discuss the project details.
- ii. The Service Provider will engage on a continuous basis with the project sponsor and Infrastructure South Africa (ISA) for the preparation of the Budget Facility for Infrastructure (BFI) report.

4. Project timelines

The appointed service provider(s) will be required to start immediately after the award and complete the assignment within a period of three (3) months.

5. Technical evaluation criteria

5.1 Other Technical Requirements

The service provider must indicate their compliance/ non-compliance to the following requirements and to substantiate as required. The bidder must respond in the format below, where additional information is provided/ attached somewhere else; such information must be clearly referenced.

5.1.1. BIDDER'S EXPERIENCE	Comply	Partially Comply	Not Comply
<p>The bidder must have relevant experience in providing advisory services in compiling a detailed business case for infrastructure projects, preferably in industrial parks and special economic zone.</p> <p>To substantiate, the bidder is required to provide a minimum of three (3) relevant contactable references of where they have provided similar services. References are required to be for projects done within the past ten (10) years.</p> <p>Refer to Table (A) Annexure 5 of this document for the response format provided.</p>			
Substantiate / Comments			

5.1.2. BIDDER'S PROPOSED METHODOLOGY	Comply	Partially Comply	Not Comply
<p>The bidder must demonstrate their thorough understanding of the objectives and deliverables of this project. To substantiate, the bidder must provide the following:</p> <p>A detailed (step-by-step) proposal of the methodology/approach to be used to carry out the scope of work outlined above and clearly demonstrate how the project objectives and deliverables will be achieved.</p>			
Substantiate / Comments			

5.1.3. BIDDER'S PROPOSED PROJECT PLAN	Comply	Partially Comply	Not Comply
<p>The bidder must submit a detailed project plan, which will compliment and align with the above proposed methodology. The plan needs to align with the project duration of a maximum of Three (3) months from date of appointment. The project plan is to be in a form of a High-Level Work Breakdown Structure (WBS) and timeframes in a Gantt Chart format.</p>			
<p>Substantiate / Comments</p>			

5.1.4. QUALIFICATIONS AND SKILLS OF KEY PERSONNEL	Comply	Partially Comply	Not Comply
<p>The bidder's personnel for the proposed team must have relevant qualifications, skills, and experience in providing financial, commercial, technical, and legal advisory services in related infrastructure projects.</p> <p>The key technical team members should have at least ten (10) years' experience in executing such assignments. The team must include the following as a minimum:</p> <ol style="list-style-type: none"> i. Project Leader (Transaction Advisory specialist with 10 years' relevant experience); ii. Infrastructure Finance Specialist (with 10 years' relevant experience); and iii. Additional personnel with relevant experience <p>The bidders must submit, as part of its proposal, the following:</p> <ul style="list-style-type: none"> • The structure and composition of the proposed team and team leader, clearly outlining the main disciplines/specialties of this project and the key personnel responsible for each specialty. Please refer to Table (b) Annexure 5 of this document for the format in which the required information must be provided. • CVs of all key personnel; and the CVs must clearly highlight qualifications, areas of experience/competence relevant to the tasks and objectives of this project as outlined above. 			
<p>Substantiate / Comments</p>			

SECTION 3: PRICE PROPOSAL

SECTION 3: Cost Proposal

1. **NOTE: All prices must be VAT inclusive (where applicable) and must be quoted in South African Rand (ZAR).**

2. Are the rates quoted firm for the full period of the contract?

YES	NO
-----	----

Important: If not firm for the full period, provide details of the basis on which price adjustments shall be applied e.g., CPI etc.

3. All additional costs associated the bidder's offer must be clearly specified and included in the Total Bid Price.

4. Is the proposed bid price linked to the exchange rate?	Yes	No

If yes, the bidder must indicate CLEARLY which portion of the bid price is linked to the exchange rate:

5. Payments will be linked to specified deliverables after such deliverables have been approved by the IDC. Payments will be made within 30 days from date of invoice.	Comply	Not Comply

6. The IDC reserves the right to consider the guidelines on consultancy rates as set out in the National Treasury Instruction 02 of 2016/2017: Cost Containment Measures which took effect from 01 January 2014, where relevant. The bidder must indicate if their proposed rates are in line with the provisions of the referenced National Treasury Instruction: Cost Containment Measures.	Comply	Not Comply

Substantiate / Comments

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7. COSTING MODEL

Activity/ Deliverable	Resource(s)	Rate/Hour per resource	Number of hours	Total Cost (VAT Excl.)
DESCRIPTION OF THE PROJECT OR PROGRAMME, PROJECT STAGE AND JUSTIFICATION (Refer to SOW 3.1.1)				
COMPREHENSIVE DESCRIPTION OF THE PRIORITISATION AND APPROVAL PROCESS UNDERTAKEN BY THE SPONSORING INSTITUTION (Refer to SOW 3.1.2)				
THE OBJECTIVES, OUTCOMES, AND TARGETS THAT THE PROPOSAL SEEKS TO ACHIEVE (Refer to SOW 3.1.3)				
OPTIONS ANALYSIS (Refer to SOW 3.1.4)				
A SOCIO-ECONOMIC ANALYSIS (Refer to SOW 3.1.5)				
A BUDGET STATEMENT (Refer to SOW 3.1.6)				
RISK ASSESSMENT (Refer to SOW 3.1.7)				
THE PROCUREMENT AND IMPLEMENTATION PLAN (Refer to SOW 3.1.8)				
INSTITUTIONAL AND OPERATIONAL READINESS (Refer to SOW 3.1.9)				
WORKFLOW PROCESS (Refer to SOW 3.2.)				
DISBURSEMENTS				
				TOTAL BID PRICE (VAT EXCL.)
				VAT @ 15%
				TOTAL BID PRICE (VAT INCL.)

The bidder must provide a detailed breakdown of the Disbursements as follows:

Cost Element	Cost (VAT Excl.)
Sub-Total Disbursements	

Note on pricing:

Disbursements (incidental expenses other than professional fees e.g., travel and accommodation, printing costs, etc.) must be clearly defined, outlining all assumptions. It is of utmost importance to submit clear and comprehensive cost proposals to allow the IDC to fairly compare bid price / cost proposals. If there is no additional fee envisaged for Disbursements, then the bidder must clearly indicate “No Charge / Free of Charge”. Failure to clearly indicate this, would result in IDC penalising your bid response by taking the cost of the highest bidder and adding 50% thereto and apply this rate for purposes of price comparisons. Bidders are therefore requested to respond clearly and comprehensively on this aspect of their bid response.

8.1 SUMMARY OF THE PROPOSAL

DESCRIPTION	BIDDER’S PROPOSAL
Number of resources (personnel)	
Project duration (in hours)	
Project duration (in months)	
Commencement Date	

Price Declaration Form

Dear Sir,

Having read through and examined the Request for Proposal (RFP) Document, RFP no. **T24/04/2024**, the General Conditions, and all other Annexures to the RFP Document, we offer **Advisory Services For The Development Of A Detailed Business Case For The Nkomazi Special Economic Zone (SEZ)**, as per the specifications, at a total amount of:

R..... (Including VAT)

In words

R..... (Including VAT)

We confirm that this price covers all activities associated with the service, as called for in the RFP document. We confirm that IDC will incur no additional costs whatsoever over and above this amount in connection with the provision of this service.

We undertake to hold this offer open for acceptance for a period of 120 days from the date of submission of offers. We further undertake that upon final acceptance of our offer, we will commence with the provision of the required service when required to do so by the IDC.

We understand that you are not bound to accept the lowest or any offer, and that we must bear all costs which we have incurred in connection with preparing and submitting this bid.

We hereby undertake for the period during which this bid remains open for acceptance, not to divulge to any persons, other than the persons to whom the bid is submitted, any information relating to the submission of this bid or the details therein except where such is necessary for the submission of this bid.

SIGNED

DATE

(Print name of signatory)

Designation

**FOR AND ON BEHALF
OF:**

COMPANY
NAME

Tel No

Fax No

Cell No

SECTION 4: ANNEXURES

Annexure 1: Acceptance of Bid Conditions and Bidder's Details

Request for Proposal No: _____

Name of Bidder: _____

Authorised signatory: _____

Name of Authorised Signatory _____

Position of Authorised Signatory _____

By signing above the bidder hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under this RFP.

[Note to the Bidder: The Bidder must complete all relevant information set out below.]

CENTRAL SUPPLIER DATABASE (CSD) INFORMATION

Bidders are required to be registered on the Central Supplier Database (CSD) of National Treasury. Failure to submit the requested information may lead to disqualification. Bidders are therefore required to submit as part of this proposal both their CSD supplier number and CSD unique registration reference numbers below:	
Supplier Number	
Unique registration reference number	

BIDDING STRUCTURE

Indicate the type of Bidding Structure by marking with an 'X':	
Individual Bidder	
Joint Venture/ Consortium	
Prime Contractor with Sub Contractors	
Other	

REQUIRED INFORMATION

If Individual Bidder:	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	

If Joint Venture or Consortium, indicate the following for each partner:	
Partner 1	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Scope of work and the value as a % of the total value of the contract	
Partner 2	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Scope of work and the value as a % of the total value of the contract	

If bidder is a Prime Contractor using Sub-contractors, indicate the following:	
Prime Contractor	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	

Sub contractors	
Name of Company	
Company Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Subcontracted work as a % of the total value of the contract	

Annexure 2: Tax Compliance Requirements

1. TAX COMPLIANCE REQUIREMENTS		
1.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
1.2	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.	
1.3	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.	
1.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.	
1.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.	
1.6	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
2. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS		
2.1	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2.2	DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2.3	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2.4	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<p>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 1.3 ABOVE.</p>		
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:	

Annexure 3: 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 ¹ 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:

.....
.....

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

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 consortium² 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 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

² 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.

Annexure 4: Shareholders and Directors Information

[Note to the bidder: the bidder must complete the information set out below. If the bidder requires more space than is provided below it must prepare a document in substantially the same format setting out all the information referred to below and return it with Returnable Schedule 2.]

4.1 Shareholders/ Members

Name of the shareholder	ID Number	Race	Gender	% Shares

Note: The bidder must also attach the detailed Company/ Group Structure where relevant.

4.2 Trust Information

With reference to point 8.6 IDC Rights, should a trust form part of the Company / Group structure then the following must be submitted as part of your proposal.

Documents necessary to verify the Identity of a Trust	<input type="checkbox"/> Copy of trust deed or other founding document by which trust is created. <input type="checkbox"/> Letters of authority (as issued by the Master of the High Court) <input type="checkbox"/> Personal details of each Trustee, each Beneficiary, the Founder, and the person authorised to act on behalf of the Trust
--	---

4.3 Black Shareholders/ Members as per the B-BBEE Certificate

Name of the shareholder	ID Number	Race	Gender	% Shares
Total Black Shareholding % as per the current and valid B-BBEE Certificate				

4.4 Directors

Name of the shareholder	ID Number	Race	Gender

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

CERTIFY THAT THE INFORMATION FURNISHED ABOVE IS CORRECT.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder



Annexure 6: BEE Commitment Plan

The IDC encourages existing vendors and prospective bidders to support the objectives of B-BBEE and as far as possible strive to improve their B-BBEE contribution status. For bid evaluation purposes, bidders are allocated points in terms of a preference point system based on the Specific Goals which requires the bidder to have a valid B-BBEE certificate or a sworn affidavit in case of a EME or QSE.

Bidders are therefore required to submit a B-BBEE improvement plan in view of the new B-BBEE Codes of Good Practice. Bidders must indicate the extent to which their ownership, management control, employment equity, preferential procurement and enterprise development will be maintained or improved over the contract period in the event that they are successful in this bid process.

Annexure 7: Disclosure Statement

In terms of the tender condition 8.6, which allows the IDC to conduct background checks on bidders and its shareholders and directors, the IDC hereby requires bidders to provide the following additional information:

- 7.1 The IDC considers the integrity of its appointed service providers to be of critical importance. The IDC reserves the right to apply its objective criteria to award to any bidders whose integrity, based on past conduct (during the 5 years immediately preceding the bid submission date), it considers questionable.
- 7.2 To this end, the IDC requires each bidder to include in its bid, a disclosure statement which details the following (sufficient information and supporting documentation for the IDC to make its own assessment as to the materiality or seriousness of allegations regarding the bidder's integrity or conduct):
- 7.2.1 any criminal charges made against the bidder or any of its directors, shareholders, or management officials regarding their professional conduct;
 - 7.2.2 any civil proceedings initiated against the bidder or any of its directors, shareholders, or management officials regarding their professional conduct; and
 - 7.2.3 any other enquiry or similar proceedings initiated or threatened against the bidder or any of its directors, shareholders, or management officials regarding their professional conduct.
- 7.3 Where the bidder is a consortium, the disclosure statement referred to in paragraph 7.2 above must be made separately in respect of each consortium partner.
- 7.4 In the event that the bidder's circumstances change, after submission of its bid, regarding any matter referred to in paragraph 7.2 above or in regard to any matter referred to in its disclosure statement, the bidder must submit a written notification to IDC indicating the nature and extent of such changed circumstances.
- 7.5 The IDC reserves the right to seek such additional information from any bidder, in respect of the disclosure statement referred to in paragraph 7.2 above, as it may, in its sole discretion, determine, whether such information has been requested under this RFP or otherwise, and may require the bidder to make oral presentations for clarification purposes or to present supplementary information, in respect of the disclosure statement if so required by the IDC.
- 7.6 Based on its own assessment of the contents of the bidder's disclosure statement and any publicly available information which is relevant to the contents of such disclosure statement, the IDC will decide whether the bidder's conduct or any allegations relating thereto pose a risk, reputational or otherwise, to the IDC; and if it reaches an adverse conclusion the IDC will in its sole discretion have the right not to award a contract or order.

SIGNED

DATE

(Print name of signatory)

Designation

**FOR AND ON BEHALF
OF:**

COMPANY
NAME

Tel No

Fax No

Cell No

Annexure 8: Privacy & Protection of Personal Information Act 4 of 2013 Requirements

Request for Proposal No:	
Name of Bidder:	
Authorised signatory:	

Protecting personal information is important to the Industrial Development Corporation (IDC). To do so, IDC follows general principles in accordance with applicable privacy laws and the Protection of Personal Information Act 4 of 2013 (POPIA).

IDC's role as a responsible party, is amongst others to process personal information for the intended purpose for which it was obtained and in line with legal agreements with its respective/ prospective clients, third parties, suppliers, and operators.

Who is an Operator? A person or body/ entity which processes personal information for the IDC in terms of a contract or mandate.

Who is a Supplier? a natural or juristic person that provides a product or renders a service to the IDC. A supplier could also be considered as an operator, an independent responsible party or (together with IDC) a joint responsible party.

If the supplier or business partner provides IDC with its related persons' personal information, the supplier or business partner warrants that the related persons are aware of and have consented to the sharing and processing of their personal information with/by IDC. IDC will process the personal information of related persons as stated under a contractual agreement or as required by any related legislation.

Examples of the personal information of the supplier or business partner where relevant may include (but are not limited to): financial information, including bank statements provided to the IDC; - invoices issued by the supplier or business partner; the contract/ legal agreement between the IDC and the supplier or business partner; other identifying information, which includes company registration numbers, VAT numbers, tax numbers and contact details; marital status and matrimonial property regime (e.g. married in community of property); nationality; age; language; date of birth; education; financial history; identifying numbers (e.g. an account number, identity numbers or passport numbers); email address; physical address (e.g. residential address, work address or physical location); information about the location (e.g. geolocation or GPS location); telephone numbers; online and other unique identifiers; social media profile/s; biometric information (like fingerprints, facial recognition signature; race; gender; sex; criminal history.

Example of Special personal information is personal information about the following: - criminal behaviour, or any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings; religious and philosophical beliefs; trade union membership; political beliefs; health, including physical or mental health, disability, and medical history; or biometric information (e.g., to verify identity).

RESPONSIBILITIES OF SUPPLIERS AND BUSINESS PARTNERS WHO ARE OPERATORS UNDER POPIA

Where a supplier or business partner, in terms of a contract or mandate, processes personal information for the IDC and is considered an operator of the IDC, the supplier or the business partner will be required to adhere to the obligations set out in the IDC data privacy or POPIA policy. This policy sets out the rules of engagement in relation to how personal information is processed by suppliers and business partners on behalf of the IDC as well as the minimum legal requirements that IDC requires the suppliers and business partners to adhere to, including compliance with POPIA as summarised in the below table.

Item	GUIDING CONDITIONS FOR PROCESSING PERSONAL INFORMATION	Yes	No
8.1	<p>Accountability The respective clients, third parties, suppliers and operators and its members will ensure that the provisions of POPIA, the guiding principles outlined in the policy and all the measures that give effect to such provisions are complied with at the time of the determination of the purpose and means of the processing and during the processing itself. In the event that an employee of the IDC or any person acting on behalf of the corporation who through their intentional or negligent actions and/or omissions fail to comply with the principles and responsibilities outlined, proper corrective measures will be applied.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.2	<p>Processing Limitation The respective clients, third parties, suppliers and operators and its members will ensure that information is only processed for the justifiable reason and processing is compatible with the purpose of the collection.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.3	<p>Purpose Specification All respective clients, third parties, suppliers and operators and its members will process personal information only for specific, explicitly defined, and legitimate reasons. The respective clients, third parties, suppliers and operators will inform IDC of reasons prior to collecting or recording their PI.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.4	<p>Further Processing Limitation Personal information will not be processed for a secondary purpose unless that processing is compatible with the original purpose. Thus, where the respective clients, third parties, suppliers and operators seek to process personal information it holds for a purpose for which it was originally collected, and where this secondary purpose is not compatible with the original purpose, respective clients, third parties, suppliers and operators will first obtain additional consent from the IDC.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.5	<p>Information Quality The respective clients, third parties, suppliers and operators will take reasonable steps to ensure that all personal information collected is complete, accurate and not misleading. Where PI is collected or received from third parties, the respective clients, third parties, suppliers and operators will take reasonable steps to confirm that the information is correct by verifying the accuracy of the information directly with the data subject or by way of independent sources.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.6	<p>Open Communication Reasonable steps will be taken by the respective clients, third parties, suppliers and operators to ensure that the IDC is notified of the purpose for which the information is being collected, used, and processed.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Item	GUIDING CONDITIONS FOR PROCESSING PERSONAL INFORMATION	Yes	No
8.7	Security Safeguards It is a requirement of POPIA for responsible parties, business partners and operators to adequately protect personal information. IDC will need to review suppliers or business partner security controls and processes to ensure that personal Information is compliant with the conditions of the lawful processing of personal information as set out in the POPIA. This would be a continuous monitoring and review that will be conducted by the IDC at its discretion.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.8	Data Subject Participation A data subject whose PI has been collected, stored, and processed by the respective clients, third parties, suppliers and operators must have communication channels to attend to may request for the correction or deletion of such information.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

I, _____ (print name) hereby certify that the information, facts and representations are correct and that I am duly authorized to sign on behalf of the company.

Name of Company/ Entity: _____

Company/ Entity Registration Number: _____

Company/ Entity VAT Registration Number: _____

Signature (Company/ Entity Representative)

Date