

QUESTIONS	ANSWERS
<p>1 A Tenderer will not be awarded points for B-BBEE status level if it is indicated in the Tender documents that such a Tenderer intends sub-contracting more than 30% of the value of the contract to any other enterprise that does not qualify for at least the points that such a Tenderer qualifies for, unless the intended sub- contractor is an EME that has the capability and ability to execute the sub-contract (Item F.3.11.9 page 9).</p>	<p>This sub-contract differs with compulsory sub-contracting on Regulation 9 of the 2017 Preferential Procurement Regulation. It is intended to prevent fronting. The bidder can sub-contract to any supplier, but B-BBEE points will only be allocated if the intended sub-contractor has the same or a higher B-BBEE than the main contractor or is an EME that has the capability to execute the subcontract. Bidders are advised to familiarize themselves Regulation 6 of the 2017 Preferential Procurement Regulations</p>
<p>2 The Contractor is required to subcontract 30% of the contract value to local subcontractors and/or 51% to black woman owned companies, located within the Gauteng area only. The contractor will not be allowed to subcontract to companies related to them or their subsidiaries (Refer to Schedule T2.31) (Item F.3.13 page 9)</p>	<p>This refers to a compulsory subcontracting in terms of Regulation 9 of the 2017 Preferential Procurement Regulation. Bidders will be disqualified if the compulsory subcontracting is not met at the time of bidding. Subcontracting agreements should be attached at the time of bidding.</p>
<p>In our opinion , Items 1 and 2 above contradict each other. Can you please kindly clarify</p>	<p>There is no contradiction</p>
<p>3 The Contractor shall not sub-contract more than 25% of the Contract Price to another enterprise that does not have equal or higher (better) B-BBEE status level, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract (Item 1 Page 68)</p>	<p>This does not relate to compulsory subcontracting in terms of Regulation 9 of Preferential Procurement Regulations 2017</p>
<p>4 The number of points listed on the Table on page 8 of the Tender Documents do not seem to be consistent with the 80/20 system. Can you please clarify</p>	<p>The points will be converted to the 80/20 system. The bidders must claim the correct preference points on the SBD 6.1 attached on the bid document</p>