



SOUTH AFRICAN TOURISM

TENDER UPDATE 1 - SOUTH AFRICAN TOURISM'S MARKETING AND COMMUNICATIONS AGENCY SERVICE TENDER SAT 162#19

As a bid condition South African Tourism stipulates in its tender document on page 3 that “Prospective tenderers must periodically review its website on <https://www.southafrica.net/gl/en/corporate/page/tenders> for updated information or amendments regarding this tender, prior to due dates”.

South African Tourism also provides that bidders can make enquiries for any point of clarity where all responses will be published on South African Tourism's website by no later than 12 July 2019. The bid document also stipulates that any actual discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by South African Tourism will, if possible, be corrected and provided to all Bidder(s) without attribution to the Bidder(s) who provided the written notice.

With this notice South African Tourism wishes to correct a clerical matter pertaining to paragraph 9.7.1.1- Subcontracting as a condition of tender of its bid document where **paragraph 9.7.1.1 should be read with track changes marked in red i.e.:** -

As a schedule 3A Public Entity in terms of schedule 3 of the Public Finance Management Act 1 of 1999, South African Tourism fully conforms and supports the obligatory transformation initiatives embedded in the Preferential Procurement Regulations, 2017 issued in terms of section 5 of the Preferential Procurement Policy Framework Act, Act Number 5 of 2000 (PPFA) when procuring goods or services from suppliers.

South African Tourism finds it feasible to apply subcontracting to advance designated groups for contracts above R30 million as contemplated in regulation 9(1) of the Preferential Procurement Regulations, 2017. This tender is therefore issued with a specific tendering condition as further contemplated in regulation 9(2) that the successful tenderer must subcontract a minimum of 30% of the value of the contract to-

~~Micro Enterprises (EMEs) or Qualifying Small Enterprise (QSE) which are 51% owned by either or more than one of the following designated groups:~~

- a) an EME or QSE;
- b) an EME or QSE which is at least 51% owned by black people;
- c) an EME or QSE which is at least 51% owned by black people who are youth;

- d) an EME or QSE which is at least 51% owned by black people who are woman;
- e) an EME or QSE which is at least 51% owned by black people with disabilities;
- f) an EME or QSE which is at least 51% owned by black people living in rural or underdeveloped areas or townships;
- g) a cooperative which is at least 51% owned by Black people;
- h) an EME or QSE which is at least 51% owned by black people who are military veterans; or
- i) more than one of the categories referred to in paragraphs (a) to (h).

The main bidder will be required to sub-contract a minimum of 30% of the bid for each of the respective marketing disciplines being tendered for. The responsibility to sub-contract with competent and capable sub-contractors rests with the main bidder. The contract will be concluded between the main bidder and South African Tourism, therefore, the main bidder and not the sub-contractor would be held liable for performance in terms of its contractual obligations.

Main bidders are discouraged from subcontracting with their subsidiary companies as this may be interpreted as subcontracting with themselves and / or using their subsidiaries for fronting. Where Main bidders' subcontracts with a subsidiary, this must be declared in tender documents.

Main bidders must submit proof of the subcontracting arrangement between them and the subcontractor. Proof of subcontracting arrangement may include a subcontracting agreement between Main bidders and the subcontractor.

South African Tourism intends to treat all private contracting parties fairly in relation to each other. The provisions of the Preferential Procurement Regulations, 2017 do not allow South African Tourism to implement selective application of the subcontracting requirement envisaged by regulation 9; the subcontracting requirements are applicable to all bidders irrespective of size (this therefore includes EMEs and QSEs).

Tenders that do not meet the subcontracting requirement shall be deemed to not be acceptable tenders as contemplated by the PPPFA. Such tenders will be disqualified and shall not be considered for further evaluation or award.

National Treasury's Central Supplier Database (CSD) has been upgraded to allow bidders' access to CSD for identification of potential sub-contractors from the pool of EMEs or QSEs to advance designated groups. The report containing the list of potential subcontractors may be drawn by accessing the following link: www.csd.gov.za

Bidders should therefore consider the correct articulation and submit its bid responses accordingly.

SA Tourism sincerely apologises for any inconvenience this may cause to potential bidders.

Yours in Tourism

Theo Thumbran
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