

**REQUEST FOR QUOTATION (RFQ)**

<b>REQUISITION NUMBER</b>	<b>RFQ NO-24-04-2024</b>
<b>DESCRIPTION</b>	<b>APPOINTMENT OF A SERVICE PROVIDER FOR OCCUPATIONAL HEALTH AND SAFETY SUPPORT SERVICES FOR A PERIOD OF TWELVE (12) MONTHS</b>
<b>ISSUE DATE</b>	<b>24 April 2024</b>
<b>CLOSING DATE</b>	<b>03 May 2024</b>
<b>BID VALIDITY PERIOD</b>	<b>90 Days (Commencing from RFQ Closing date)</b>
<b>CLOSING TIME</b>	<b>12:00 Noon</b>

**1. PURPOSE**

The NAC is seeking the services of a suitably qualified and experienced service provider for assistance with Occupational Health and Safety matters for a period of twelve (12) months.

**2. BACKGROUND**

The National Arts Council of South Africa, an Agency of the Department of Arts and Culture, is the de-facto successor in title to the Foundation for the Creative Arts, originally established in 1989. NACSA's mandate as set out in the National Arts Council Act, Act 56 of 1997, specifies its Objects as:

- To provide, and encourage the provision of, opportunities for persons to practice the arts
- To promote the appreciation, understanding and enjoyment of the arts
- To promote the general application of the arts in the community
- To foster the expression of a national identity and consciousness by means of the arts
- To uphold and promote the right of any person to freedom in the practice of the arts
- To give the historically disadvantaged such additional help and resources as are required to give them greater access to the arts
- To address historical imbalances in providing infrastructure for the promotion of the arts
- To promote and facilitate national and international liaison between individuals in the discipline of craft, dance, literature, music, Multi-discipline, visual arts and theatre.

### **3. OBJECTIVES**

The objective of this bid is to appoint a suitably qualified and experienced service provider to assist the organisation with Occupational Health and Safety matters for a period of twelve (12) months.

### **4. SCOPE OF WORK**

The successful service provider will provide Occupational Health and Safety services to the NAC for a period of twelve (12) months. The service provider will be expected to deliver amongst others the following key requirements:

#### **4.1 Inspections**

4.1.1 Bi-annual inspections of occupational Health and Safety processes shall be conducted by an appointed, qualified, and competent safety Officer. The Safety Officer will be responsible for amongst others:

- Ensuring that the work environments are safe from occupational Health and Safety hazards.
- The service provider shall also ensure that all applicable documentation i.e., risk assessments, checklists and procedures have been completed and are kept in an up to-date status at all times.
- That our environment is compliant to all legislative requirements and where it is not, that actions are appropriately taken with the Health & Safety Committee to make the NAC compliant.
- The inspections shall also include the development of all required tools and resources that are necessary for the safety of NAC working environment.

#### **4.2 Policies**

4.2.1 Conduct Annual Policy Reviews aligned to latest Legislation guidelines and requirements.

4.2.2 Develop new Policies where required.

4.2.3 Development of Standard Operating Procedures.

#### **4.3 OHS Audits**

4.3.1 As prescribed by legislation the contractor shall ensure that a mandatory audit is conducted bi-annually, findings recorded and audit report to be provided with findings and action plans clearly indicated.

#### **4.4 Occupational hygiene measurements**

4.4.1 The Service Provider shall perform the hygiene survey at least once every quarter depending on the needs of the organisation.

#### **4.5 Fire Risk Assessments**

As part of the Risk assessment, the Service Provider, in conjunction with the NAC shall ensure that a fire inspection is done at least twice in a period of a year by an approved external service provider. The findings and recommendations shall be used to develop a fire emergency response procedure whereby drills will be conducted to check effectiveness of such procedures and must be conducted at least twice within a year's period. All employees and visitors shall be made conversant with the contents of such procedures.

#### **4.6 Process hazard analysis**

The Service Provider shall ensure that they have set organised and systematic assessments of the potential hazards associated with the workplace. They shall ensure that the PHA provides information intended to assist managers and employees in making decisions for improving safety and reducing the consequences of unwanted or unplanned releases of hazardous threats. The PHA shall be submitted to the NAC for approval. The output should be an organisational Hazard Identification and Risk Assessment (HIRA) report.

#### **4.7 Training**

The service provider shall ensure that all applicable mandatory training for the Health and Safety Committee is conducted by licensed and approved third parties. Such training shall cover but is not limited to:

- Safety, Health and Environment (SHE) training.
- First aid
- Fire fighting
- Health and Safety Committee induction Workshop
- Hazard and Identification and Risk Assessment Course (HIRA)

#### **4.8 Risk Assessment for Building Occupancy**

The service provider shall develop an issue-based risk assessment for building occupancy. This exercise should be performed within a week from the date of appointment.

### **5. TIME FRAMES**

The duration of the contract will be for period of twelve (12) months.

## 6. FUNCTIONAL 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.

NO	CRITERIA	WEIGHTING TO BE AWARDED
1.	<p><b>REFERENCES AND EXPERIENCE</b></p> <p>Bidders must provide reference letter(s)/purchase orders on the letterhead of the services client and should reflect at least the name of the client, full description of the service rendered, contact person and contact details relevant to the required service provided health and safety services. The reference letters must indicate the quality of the service rendered.</p> <p>The letters must be signed by the authorized person</p> <p><b>Experience (20 Points)</b></p> <ul style="list-style-type: none"> <li>• 1-2 year = 1 point</li> <li>• 2-4 years = 2 points</li> <li>• 5-7 years = 3 points</li> <li>• 7-9 years = 4 points</li> <li>• 10 or more years = 5 points</li> </ul> <p>Bidders should provide/attach a table outlining current and previous clients in the public sector, state-owned and private entities reflecting names and contact details of clients, type of service rendered, start, end dates and value of contracts.</p> <p><b>Number of projects (20 points)</b></p> <ul style="list-style-type: none"> <li>• 1 Project = 1 point</li> <li>• 2 Projects = 2 points</li> <li>• 3 Projects = 3 points</li> <li>• 4 Projects = 4 points</li> <li>• 5 or more projects = 5 points</li> </ul>	40
2.	<p><b>METHODOLOGY AND PROJECT PLAN</b></p> <p>Bidders must provide a detailed explanation of the methodology and project implementation plan which details how the service will be carried out as outlined in the scope. The project plan must have deliverables and timeframes.</p>	30

	<p>The timeframes and project plan are suited and tailored to the project needs and demonstrates the following:</p> <p>Proposed methodology demonstrates an adequate understanding of Health and Safety matters included in the scope of work:</p> <ul style="list-style-type: none"> <li>• Health &amp; Safety inspections</li> <li>• OHS audits</li> <li>• Fire Risk assessment</li> <li>• Training</li> <li>• Building Assessment</li> </ul>	
3.	<p><b>QUALIFICATIONS AND EXPERIENCE OF KEY PERSONNEL</b></p> <p>Bidders must provide the qualifications, experience and professional competencies in Occupational Health and Safety of the proposed lead project manager and safety officer to be used to provide the services.</p> <p><b>Experience of the Health and Safety Officer:</b></p> <ul style="list-style-type: none"> <li>• More than 6 years relevant experience = 5 points</li> <li>• 3 to 5 years relevant experience = 3 points</li> <li>• Less than 3 years relevant experience = 0 points</li> </ul> <p><b>Qualifications of the Health and Safety Officer:</b></p> <ul style="list-style-type: none"> <li>• Relevant degree in related field = 5 points</li> <li>• Relevant diploma in related field = 3 points</li> <li>• Irrelevant qualification = 0 points</li> </ul> <p><b>Experience of Project Manager/Lead Consultant:</b></p> <p>Submission of abbreviated Curriculum Vitae (CV's) indicating relevant experience</p> <ul style="list-style-type: none"> <li>• 10 years of experience = 5 points</li> <li>• 7-9 years of experience = 4 points</li> <li>• 5-6 years of experience = 3 points</li> <li>• 3-4 years of experience = 2 points</li> <li>• 1-2 years of experience = 1 point</li> </ul>	30

Bidders are required to achieve a minimum score of **75 points** on functionality evaluations in to qualify to be evaluated on Price and Specific Goals. All suppliers who do not score the minimum points will be disqualified.

**7. PRICE AND PREFERENCE POINTS EVALUATION**

	<b>Preference Point Criteria</b>	<b>Points Allocation</b>
1.	Price	80
2.	Specific goals	20
<b>Total Points</b>		<b>100</b>

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

<b>Specific goals</b>	<b>80/20 Preference Point System</b>
Black Ownership	10
30% Black Women Ownership	4
Youth Ownership	3
Disability 30% Ownership	3

Black ownership: 100% black owned entities will score the full 10 points and between 51% - 99.99% black owned entities will score 4 points

## 8. PRICING SCHEDULE

Financial proposals will be compared on the basis of their total amount inclusive of VAT and all other related costs. Bidders are required to submit financial proposals as per the table below on a company letterhead.

Pricing schedule is compulsory and failure to complete same in prescribed manner may result in disqualification of the bid during the financial evaluation process.

<b>DESCRIPTION</b>	<b>QUANTITY</b>	<b>COST INCLUSIVE PER LINE ITEM</b>
1. Health and Safety inspections	<b>02 Per Annum</b>	
2. Review of Health and Safety Policy, the Health and Safety Environment plan and procedures, Development of new SOP's and Policies	<b>01</b>	
3. Occupational Health & Safety Audit	<b>01</b>	
4. Occupational hygiene measurements	<b>01</b>	
5. Fire and risk assessment	<b>01</b>	
6. Process hazard analysis	<b>01</b>	
7. Training: Safety, Health and Environment (SHE) training, First aid, Hazard and Identification and Risk Assessment Course (HIRA) (Training champion)	<b>01</b>	
8. Risk Assessment for Building Occupancy (Certificate of Compliance – "CoC")	<b>01</b>	
	<b>Disbursements</b>	
	<b>Sub Total</b>	
	<b>VAT @ 15%</b>	<b>R</b>
	<b>Total Amount inclusive of VAT</b>	<b>R</b>

## 9. PROPOSAL SUBMISSION

Closing Date: 03 May 2024

Time: @ **12:00 Noon**

Attention: Esona Zandile

Email: [supplychain@nac.org.za](mailto:supplychain@nac.org.za)

Kindly submit your quotation electronically to the Supply Chain Management Unit ([supplychain@nac.org.za](mailto:supplychain@nac.org.za)) by.

## 10. ENQUIRIES

<b>SCM Enquiries:</b>	<b>Esona Zandile</b> <b>Tel: 011 838 1383/4/5</b> <b>Email: <a href="mailto:supplychain@nac.org.za">supplychain@nac.org.za</a></b>
-----------------------	--

## 11. TERMS AND CONDITIONS:

- a. The completed SBD 1, SBD 4 and SBD 6.1 should be submitted with the quotation
- b. Proof of registration with the Central Supplier Database (CSD) must be submitted.
- c. No late quotations will be accepted under any circumstances.
- d. Price(s) quoted must be valid for at least ninety (90) days from date of offer for evaluation purposes.
- e. Tenderers original valid tax clearance certificate must be attached.
- f. Tender original or certified B-BBEE Certificate must be attached to the document
- g. Documents should not exceed **10mb**
- h. Suppliers must complete and **return all the required documents**, failing which, the supplier's quotation will be declared invalid.
- i. Disclaimer: The NAC reserves the right not to make an appointment and cancel the RFQ
- j. **The NAC reserves the right not to accept the lowest quote received**



**PART A**  
**INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	RFQ-24-04-2024	CLOSING DATE:	03 May 2024	CLOSING TIME:	12h00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER FOR OCCUPATIONAL HEALTH AND SAFETY SUPPORT SERVICES FOR A PERIOD OF TWELVE (12) MONTHS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
<a href="mailto:supplychain@nac.org.za">supplychain@nac.org.za</a>					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Esona Zandile		CONTACT PERSON	Itumeleng Sikhosana	
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	<a href="mailto:supplychain@nac.org.za">supplychain@nac.org.za</a>		E-MAIL ADDRESS	<a href="mailto:itumeleng@nac.org.za">itumeleng@nac.org.za</a>	
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	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> 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:

BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

**ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

**THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

### TAX COMPLIANCE REQUIREMENTS

BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

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.

APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE [WWW.SARS.GOV.ZA](http://WWW.SARS.GOV.ZA).

BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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: .....

## 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<sup>1</sup> 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.

---

<sup>1</sup> 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.

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 consortium<sup>2</sup> 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

---

<sup>2</sup> 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.

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 system is 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

#### **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.
- b) The 80/20 preference point system will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

**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
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

- 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 SYSTEM**

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 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, the 80/20 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, the 80/20 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 the 80/20 preference point system.

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

***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)
Black Ownership	10	
30% Black Women Ownership	4	
Youth Ownership	3	
Disability Ownership	3	

**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

.....	
<b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....