

**REQUEST FOR QUOTATION (RFQ)**

<b>REQUISITION NUMBER</b>	<b>RFQ-08-11-2023</b>
<b>DESCRIPTION</b>	<b>APPOINTMENT OF A SUITABLE SERVICE PROVIDER FOR PROVISION OF LIFT MAINTENANCE SERVICES AT NAC OFFICES IN NEWTOWN FOR A PERIOD OF THREE (3) YEARS</b>
<b>ISSUE DATE</b>	<b>08 November 2023</b>
<b>CLOSING DATE</b>	<b>17 November 2023</b>
<b>BID VALIDITY PERIOD</b>	<b>90 Days (Commencing from RFQ Closing date)</b>
<b>CLOSING TIME</b>	<b>12:00pm</b>

## **1. PURPOSE**

The purpose of this Request for Quotation (RFQ) is for NAC to appoint services of a suitably qualified service provider to provide Lift maintenance services at its offices in Newtown, Johannesburg for a period of **Three** (03) years.

## **2. BACKGROUND**

The National Arts Council (NAC) is a Schedule 3A Public Entity in terms of the Public Finance Management Act (PFMA). The NAC is governed by the National Arts Council Act 56 of 1997 as amended by the Cultural Laws Amendment Act 36 of 2001, and is an agency of the Department of Arts and Culture

The mandate of the NAC, as set out in Section 3 of the NAC Act is:

- 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 and institutions in respect of the arts;
- To develop and promote the arts and to encourage excellence in regard to these

The Accounting Authority of the NAC is the Council which is established in terms of Section 4 of the NAC Act.

### **3. PROJECT INFORMATION**

#### **3.1 PROJECT BACKGROUND**

The NAC requires monthly lift maintenance services for One (1) Lift situated at its offices in Newtown. The NAC therefore invites all interested service providers to submit their proposals for the provision of lift maintenance services for a period of three (3) years as described in this document.

The current lift has a rated loading capacity of 1000 kg and is a five (5) stop lift in a concrete shaft.

**The table below shows the technical specification of the existing NAC lift**

NO	DESCRIPTION / DETAILS	SPECIFICATION
1	Lift No	METIS-CR L1
2	Related Capacity	1000 kg
3	Floors/Stops and Doors	5
4	Speed (M/S)	1.0 M/S
5	Control sytem	FCS, Simplex Control, CTRL70A

6	Driving system	VVVF
7	Traction Machine	P/M Gearless Traction Motor
8	Machine Room	Above (Roof Top)
9	Door Opening Type	VVVF
10	Travel Height (m)	14.0M
11	Floor mark	-1,0,1,2,3
12	Roping	2 : 1
13	Car size (mm)	1400W x 1650D x 2200H
14	Door Opening size (mm)	800W x 2000H
15	Pit depth (mm)	1546mm
16	Overhead (mm)	3988mm
17	Minimum floor height (mm)	/
18	Door arrangement	One entrance
19	Door Opening Type	2 panels side opening
20	Hoistway type	Concrete
21	Hoistway size (mm)	1910W x 2284D
22	Main power supply	380Volts / 3 phases / 50 Hz
23	Light power supply	220V / 50 Hz Volts
24	Light Curtain Protection / Retardation	Infrared Light Curtain
25	Five Station Intercom	Provide intercom in machine room, cabin, car top, pit and basement station
26	ARD	Automatic Rescue Device

### 3.2 TECHNICAL SPECIFICATION AND DETAILED REQUIREMENTS

The service provider would be required to investigate industry-recognized manufacturers of the equipment and components being proposed. Items to consider shall include, but not be limited to, product reliability and performance, manufacturer's years of service, after sales maintenance and service team, equipment costs, warranties, guarantees, delivery schedule.

This shall include, but not limited to the following:

- Examine the system in accordance with any applicable regulation framed under the Occupational Health and Safety Act 85 of 1993, as per SANS 1545
- Properly maintain, adjust and keep the installation and equipment in a safe and proper operating condition at all times,
- Repair/replace all parts of the installation which may become necessary for the proper use and / or operation of the installation,
- Examine, adjust and lubricate the complete installation, supply of all lubricants, replacement parts and the cleaning of material as required for proper maintenance of the equipment,
- Examine, periodically and when necessary, all devices and perform any statutory safety tests on a shift basis where applicable, and before the expiring of the required intervals.
- Complete the services, maintenance or repair action report, which shall be submitted with any invoice(s).
- Examining, cleaning and equalizing tensions of all main, selector, governor and compensation ropes. Renewing of all ropes, when the rope-wear or condition exceeds the manufacturer's specification and/or the OHS Act requirements with regards to the maintenance and discarding of ropes. The ropes shall at all times produce an acceptable elevator operation and shall ensure an adequate safety factor.
- Repairing and/or replacing all electrical wiring and conductors extending to all parts of the equipment from the load side of the Main Breaker switch, distribution panels or other points of supply.
- Provide manufactures warranty & guarantee for all equipment replaced.

Servicing schedules:

- Contractor to provide Log / Record book in motor room.

## **4. MAINTENANCE INSTRUCTIONS FOR SERVICING OF LIFT**

### **Monthly maintenance**

- Inspect the operating conditions for the lift and machine room, check for noise, vibrations and clean the hoist way pit;
- Inspect, clean the equipment in machine room and check temperatures;
- Check condition of brake;
- Check all landing door locks and car door switch thoroughly, adjust where necessary;
- Inspect the hoist way, cage and door interlocks;
- Inspect the car door and top of car;
- Check the pit environments and thoroughly clean;
- Check all limits and safeties;
- Check pit switches;
- Check floor levels on every floor, hall lanterns, hall position indicators, tell tale lights, push and touch buttons;
- Check car operating panel buttons, tell tale lights, floor position indicators, operation of fan, alarm bell, intercom and emergency light unit;
- Check operation of detectors, light rays or safety shoes;
- Check flexes for any damage or wear; and
- Clean car light diffusers.

### **Annual maintenance (12 monthly)**

- All semi-annual activities;
- Strip, clean and adjust brake;
- Check condition of brake linings;
- Change oil in main gearbox;
- Clean governor and lubricate all pins, check operation and operate safeties; and
- Testing of the buffers.

## 5. OCCUPATIONAL HEALTH AND SAFETY

In the execution of all its duties and obligations under the subsequent agreement, the successful tenderer shall comply with all the relevant provisions of The Elevator, Escalator and Passenger Conveyor Regulations (“the Regulations”), published on 17 September 2010 under the Occupational Health and safety Act, Act 85 of 1993, as amended from time to time, together with all the legislation and regulations referred to in the Regulations. Non-compliance with the Regulations will be construed as a material breach of the tender and subsequent agreement.

## 6. SUPPLY CHAIN PROCESS

### 6.1. MANDATORY REQUIREMENTS

1. Valid COIDA certificate. The bidder must have a valid COIDA letter of good Standing throughout the duration of the contract.
2. Active registration and valid minimum grading with the Construction Industry Development Board (CIDB) of 3SI or Higher “The bidder shall provide a valid and active certificate at the time of closing and at the time of award”.

**NB:** If the service provider provides documents which are not in order they will not be further evaluated on Technical Requirements.

## 7. FUNCTIONAL REQUIREMENTS

With regards to functionality, the following criteria shall be applicable and the maximum weight of each criterion is indicated in the table detailed below:

Technical / Functionality will be evaluated against the following detailed requirements:

NO	CRITERIA	MAXIMUM TO BE AWARDED
1.	<p><b>REFERENCES AND EXPERIENCE</b></p> <p>The service provider 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 on lift maintenance. 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 (25 Points)</b></p> <ul style="list-style-type: none"> <li>• 1 year = 1 point</li> <li>• 2 years = 2 points</li> <li>• 3 years = 3 points</li> <li>• 4 years = 4 points</li> <li>• 5 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 (25 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 years = 5 points</li> </ul>	50
2.	<p><b>QUALIFICATIONS AND SKILLS OF KEY PERSONNEL</b></p> <p>The bidder's key personnel of the proposed team must have relevant qualifications, skills and experience needed for the services required (servicing). Team members are to have a minimum of five (5) years' relevant experience within the lift/elevator mechanical engineering space.</p> <ul style="list-style-type: none"> <li>• 1 year = 1 point</li> <li>• 2 years = 2 points</li> <li>• 3 years = 3 points</li> <li>• 4 years = 4 points</li> <li>• 5 or more years = 5 points</li> </ul>	30

3.	<b>RESPONSE TIME DURING NORMAL WORKING HOURS WITH COMMUNICATION TOOLS</b>  Callout response time during normal working hours and reachable email address and mobile phone for Supervisors <ul style="list-style-type: none"> <li>• 30mins - 1 hour response time = 5 points</li> <li>• 2hours - 3 hours response time = 4 points</li> <li>• 5 hours or more response time = 3 points</li> <li>• 10 hours or more response time = 2 points</li> <li>• 24 hours response time = 1 point</li> </ul>	10
4.	<b>MAINTENANCE PLAN</b>  Bidder must submit a detailed maintenance plan indicating how the comprehensive maintenance will be conducted on lift. <ul style="list-style-type: none"> <li>• <b>The bidder should submit a detailed maintenance plan of how they will meet the scope of work = 5 Points</b></li> <li>• <b>Bidder has not submitted a detailed maintenance plan; the plan provided does not meet the required specifications and/or scope of work; = 0 Point</b></li> </ul>	10

Bidders are required to achieve a minimum score of **70 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.

## 8. PRICE AND PREFERENCE POINTS EVALUATION

	Preference Point Criteria	Points Allocation
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:



Specific goals	80/20 Preference Point System
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

## 9. PROPOSAL SUBMISSION

Closing Date: **17 November 2023**

Time: before end of business @ **12:00 noon**

Attention : Esona Zandile

Email:supplychain@nac.org.za

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

## 10. COSTING MODEL

Description of goods/services	Monthly Rates (excluding VAT)	Number of Months	Cost (VAT Excl.)
Comprehensive monthly service and maintenance of lift (As per specification)		12	
Disbursements			
Sub Total			
VAT @ 15%			
Total Price Including VAT			

Description	Number of Years	Total (Including VAT)
Lift Maintenance and Service	Year 1	
Lift Maintenance and Service	Year 2	
Lift Maintenance and Service	Year 3	
Estimated Total Costs Over Three (3) years (Including VAT)		

## 11. ENQUIRIES

SCM Enquiries:	Esona Zandile Email: <a href="mailto:supplychain@nac.org.za">supplychain@nac.org.za</a>
Technical Enquiries:	Kelebogile Dingoko Email: <a href="mailto:kelebogile@nac.org.za">kelebogile@nac.org.za</a>

## 12. TERMS AND CONDITIONS:

- a. A Valid Tax Clearance Certificate MUST be submitted or the Tax issued pin.
- b. The completed SBD 4 and 6 documents attached to this RFQ must be completed and returned with the quotation. Failure to submit completed and signed SBD 1, SBD 4, SBD 6.1 with quotations will invalidate the quotation.
- c. Failure to submit a valid BBBEE Certificate or Sworn Affidavit will result in no points for BBBEE being awarded.
- d. Proof of registration with the Central Supplier Database (CSD) must be submitted.
- e. No late quotations will be accepted under any circumstances.
- f. Suppliers must complete and **return all the required documents**, failing which, the supplier's quotation will be declared invalid.
- g. The NAC will not be obliged to accept the lowest or any quotation received.
- h. The NAC reserves the right to accept the whole or part of a quotation.

## PART A INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	RFQ 08/11/2023	CLOSING DATE:	17 November 2023	CLOSING TIME:	12:00
DESCRIPTION	PROVISION OF LIFT MAINTENANCE SERVICES AT NAC OFFICES IN NEWTOWN FOR A PERIOD OF THREE (3) YEARS				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<a href="mailto:supplychain@nac.org.za">supplychain@nac.org.za</a>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Esona Zandile		CONTACT PERSON	Kelebogile Dingoko	
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:kelebogile@nac.org.za">kelebogile@nac.org.za</a>	
<b>SUPPLIER INFORMATION</b>					
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 CERTIFICATE/ 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 ]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
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?

☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES ☐ NO

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

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
1.3. 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.
1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g. company resolution)

DATE: .....

## **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.

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<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

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<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**

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### 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
PRICE	80
SPECIFIC GOALS	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 30% 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

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

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

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