

REQUEST FOR PROPOSALS (RFP)

RFP REFERENCE NUMBER	RFP 05-08-2023	
DESCRIPTION OF GOODS, WORK OR SERVICES	APPOINTMENT OF A SERVICE PROVIDER TO RENDER BROAD BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE) ASSESSMENT	
COMPULSORY BRIEFING SESSION DETAILS	DATE	TIME
RFP CLOSING DETAILS	<p>Date:14 September 2023</p> <p>Time: 11h00 a.m.</p> <p>Email: Quotes@cbrta.co.za (Bid responses received outside this email address will NOT be considered)</p>	
RFP VALIDITY PERIOD	60 Working days (Commencing from the official RFP closing date)	
ENQUIRIES	Quotes@cbrta.co.za	

PROSPECTIVE BIDDERS MUST REGISTER ON NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE PRIOR TO SUBMITTING BIDS.

SECTION A: SBD 1

PART A: INVITATION TO BID

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
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
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?

☐ 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

1. BID SUBMISSION:

- 1.1. BIDS MUST BE SUBMITTED BY THE STIPULATED TIME TO THE CORRECT EMAIL ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 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:

.....

DATE:

.....

SECTION B: TERMS OF REFERENCE

1. Introduction to C-BRTA

The Cross-Border Road Transport Agency (C-BRTA) is PFMA Schedule 3A Agency established through the Cross-Border Road Transport Act 4 of 1998 and provides advice, regulation, facilitation and law enforcement in respect of commercial cross border road transportation. The Act gives the C-BRTA mandate to licence commercial cross border road transport operators by issuing permits to operate. The provision of cross-border transport services in South Africa is subject to the provisions of the Cross-Border Road Transport Act. In terms of the Act, any person or organisation wishing to provide cross-border transport services must apply to the Cross-Border Road Transport Agency's Regulatory Committee for a Permit to conduct cross-border business.

The Cross-Border Road Transport Agency's (C-BRTA) thus exists, amongst others, to improve the flow of passengers and freight road transport in the region, introduce regulated competition in cross-border road transport, reduce operational constraints for the cross-border road transport industry, provide oversight and monitoring functions, and to improve the unimpeded transport flow by road of freight and passengers.

2. General rules and instructions

- 2.1. Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, C-BRTA and its Client.
- 2.2. Should a bidder have reason to believe that the Functional Requirements are not open/fair and/or are written for a particular service provider or that the specification is based on a specific brand; the bidder must inform C-BRTA within five (5) days after publication of the RFP.
- 2.3. This RFP is subject to Government Procurement: General Contract Conditions – July 2011, Special Contract Conditions and any other contract conditions to be finalised during contracting.

3. Instructions for submitting bids

- 3.1. Bidders should submit their bid responses strictly to Quotes@cbrta.co.za. Bid responses received outside this email address will NOT be considered.
- 3.2. Bid responses will NOT be considered if submitted after the closing date and time.
- 3.3. All e-mailed proposal submissions are to be clearly **subject-referenced with the RFP number**. Proposals must consist of two parts, each of which must be sent in two separate emails with the following subject:
 - **PART 1: Technical Proposal with RFP Number.**
 - **PART 2: Pricing Proposal with RFP Number.**

4. RFP Returnables

- 4.1. Bidders shall submit response in accordance with the response format below. Failure to do so shall result in the rejection of the bidder's RFP response.
- 4.2. **Schedule Index:**

Schedule 1:	Completed and signed SBD 1
Schedule 2:	Central Supplier Database (CSD) Registration Report
Schedule 3:	Bidder's Tax Compliance System PIN and/or valid Tax Clearance Certificate (TCC)
Schedule 4:	Sworn Affidavit or valid B-BBBEE Certificate

- Schedule 5:** Completed and signed SBD 4 – Bidder's Disclosure
- Schedule 6:** Completed and signed SBD 6.1 – Preference Points Claim
- Schedule 7:** Technical Proposal
- Schedule 8:** Pricing Proposal

5. C-BRTA's Rights

- 5.1. C-BRTA is entitled to verify any information, amend the RFP specification, extend the bid validity period or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFP documents have been issued, will be advised in writing of such amendments in good time.
- 5.2. C-BRTA reserves the right to request all relevant information and other documents to verify information supplied in the bid proposal.

6. Undertakings by the bidder

- 6.1. 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 C-BRTA.
- 6.2. The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the C-BRTA during the bid validity period indicated in this RFP.
- 6.3. The bidder accepts that any mistakes regarding prices and calculations will be at their own risk.

SECTION C – FUNCTIONAL REQUIREMENTS SPECIFICATION

Bidders are invited to quote on appointment of a service provider to render broad-based black economic empowerment (B-BBEE) Assessment.

1. Project title

Appointment of a service provider to render broad-based black economic empowerment (B-BBEE) assessment for a period of thirty-six (36) months and issue a compliance report for the Cross-Border Road Transport Agency (C-BRTA/ Agency).

2. Background

- 2.1 Broad-Based Black Economic Empowerment Amendment Act 2013, Act no.46 of 2013, paragraph 13G. (1) states, all spheres of government, public entities, and organs of state must report on their compliance with broad-based black economic empowerment in their audited annual financial statements and annual reports required under the Public Finance Management Act, 1999 (Act no.1 of 1999).
- 2.2 The assessment of the C-BRTA B-BBEE status and issue of a compliance report will assist the Agency to comply with the above act.

3. Purpose of the project

The primary purpose is to secure an experienced verification professional/agency to assess the Agency and issue a B-BBEE compliance report and a certificate.

Specific Objectives:

The service provider will be responsible for:

- i. Gathering the information required to assess the C-BRTA on the B-BBEE.
- ii. Prepare the C-BRTA specialised scorecard to determine the Agency's B-BBEE measurement.
- iii. Prepare a B-BBEE compliance report so that the C-BRTA complies with the Broad-Based Black Economic Empowerment Amendment Act 2012, Act no.46 of 2013, paragraph 13G. (1).
- iv. Issue the C-BRTA with the B-BBEE compliance certificate.
- v. Perform any other task necessary for the C-BRTA to obtain a B-BBEE compliance report.
- vi. The B-BBEE elements that the verification will focus on are as follows:
 - i. Management control
 - ii. Skills Development
 - iii. Enterprise and Supplier Development
 - iv. Socio-Economic Development

4. Key deliverables:

- i. B-BBEE Verification to be completed with the following deliverables:
- ii. Issue the C-BRTA with a B-BBEE compliance report and compliance Certificate.
- iii. Provide status on gaps identified during the assessment.
- iv. Detailed and clear schedule on how the project will be executed in line with the scope of work within the stipulated period.

5. Mandatory Requirements

- 5.1 The service provider must be accredited with SANAS. Proof of valid accreditation certificate must be attached.

6. Reporting requirements

6.1 The service provider shall report to the General Manager and/or his/her delegate at least once a week from the signing of the contract until the end of the project, and as and when each party requires it. Where possible and appropriate, conference calls shall be held to facilitate such meetings.

6.2 It is envisaged that the C-BRTA will require an initial meeting with the successful service provider to agree on the project process.

7. Methodology and Approach

The following steps are highly recommended for the process:

7.1 The service provider will be required to provide a detailed project plan with project deliverables, logistical plan, milestones, scope, schedules, cost and resources.

7.2 The service provider will also have to provide a methodology outlining adequate management of the project.

8. Roles and Responsibilities

a. **The C-BRTA will:**

- i. Manage the project;
- ii. Collaborate with the consultant by sharing relevant documents and information needed for the verification process.

b. **Preferred Service Provider (PSP)**

- i. The Preferred Service Provider (PSP) must provide services in accordance with the Terms of Reference, and with all reasonable care, diligence, skill, efficiency, and economy, in accordance with generally accepted professional techniques and standards and shall observe sound management practices.
- ii. Regular management and other reports as stipulated in the Terms of Reference and/ or required by the C-BRTA will be maintained by the PSP.

9. Timeframes

- i. The duration of the contract will be for a period of thirty-six (36) months from the signing of the contract.
- ii. This project shall commence and must be fully completed by the end of September 2023 for Year One (1) of the contract.

10. Confidentiality of information

Information/ data to be provided to the PSP will remain the property of the C-BRTA and the PSP should treat all the data with the required confidentiality and return all the data to the C-BRTA after the completion of the project.

11. Payment

The C-BRTA will not make an upfront payment to a successful PSP. Payments will only be made in accordance with the delivery of service that will be agreed upon by both parties and receipt of an original invoice.

EVALUATION CRITERIA: FUNCTIONALITY

Service providers will be evaluated based on functionality. The minimum threshold for functionality is 70 out of 100 points. Service providers who fail to meet the minimum threshold will be disqualified and will not be evaluated further for price and preference points for B-BBEE.

NO	CRITERIA	SCORING	WEIGHTS
1	Company Experience:		20
	(i) Service providers should at least have seven (7) years' experience in rendering B-BBEE assessment and verification and also be accredited by SANAS. Company profile must be attached and demonstrating years of experience in providing BBBBEE verification services	7 years or more = 20 points 6 years = 15 points 5years = 10 points 3- to 4 years = 5 points 2 years or less =3 point	
	(ii) Submit a signed contactable letters of references indicating that similar project was executed should be attached.	5 letters or more = 15points 4 letters = 10 points 3 letters = 5 points 2 letters = 3 points	15

		1 letter = 1 point	
2	Team leader and team members:		25
	<p>(i) The Team leader must have a recognized Bachelor's Degree (NQF level 7) in Accounting/ Finance/ Law/ Human Resources, at least seven (07) years of relevant experience, and must have completed the B-BBEE Management Development Programme plus at least nine (9) or more years of practical experience in B-BBEE verification.</p> <p>CVs must be attached as proof plus certified qualifications.</p>	<p>9 years or more = 15 points</p> <p>8 years = 10 points</p> <p>7 years = 5 points</p> <p>4 to 6 years = 3 points</p> <p>3 years or less = 1 point</p>	15

	<p>(ii) Two team members must have a recognized Diploma (NQF level 6) in Accounting/ Finance/ Law/ Human Resources plus combined (07) years of practical experience in B-BBEE verification.</p> <p>CVs must be attached as proof plus certified qualifications.</p>	<p>Combined 7 years or more = 10 points</p> <p>Combined 4-5 years = 5 points</p> <p>Combined 3 years = 3 points</p> <p>Combined 2 years = 2 points</p> <p>Combined 1 year or less = 1 point</p>	10
3.	Project Plan:		40
	Detailed Project/ Execution Plan and Management should be attached.	<p>Detailed project plan with project deliverables and detailed logistics plan, milestones, scope, schedule, cost, resources & change management plan =20 points</p> <p>Detailed project plan with project deliverables logistical plan, milestones, scope, schedule, cost & resources =10 points</p> <p>Inadequate Project Plan and logistical plan and with project deliverables, milestones, scope, schedule, cost & resources = 2 points</p> <p>No Project and logistical plan=0 point</p>	20
	Proposed Methodology	<p>Detailed project plan with project deliverables and detailed logistics plan, milestones, scope, schedule, cost, resources & change management plan =20 points</p> <p>Detailed project plan with project deliverables logistical plan, milestones, scope, schedule, cost & resources =10 points</p> <p>Inadequate Project Plan and logistical plan and with project deliverables, milestones, scope, schedule, cost & resources = 2 points</p> <p>No Project and logistical plan= 0 point</p>	20
Total			100

Pricing Schedule

Description	Year 1 R	Year 2 R	Year 3 R
Provision of B-BBEE verification services as per scope of work			
VAT			
Total amount inclusive of VAT			

SECTION D: STANDARD BIDDING DOCUMENTS

BIDDER'S DISCLOSURE

SBD4

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 interest¹ 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.

2.2

Full Name	Identity Number	Name of State institution

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.

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 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.
- 3.5 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.
- 3.6 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.

- 3.7 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

**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 systems are 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
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 The applicable preference point system for this tender is the **80/20** preference point system.

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 The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Points for specific goals for this tender will be allocated on the basis B-BBEE Status Level as shown in Table 1 below.

- 1.6 In order to claim points for specific goals, bidders must submit B-BBEE Certificate and/or sworn affidavit, as the case may be.
- 1.7 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.
- 1.8 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 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20	or	90/10
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	or	$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$

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 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) & \text{or} & Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = 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, that either the 80/20 or 90/10 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, that either the 80/20 or 90/10 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 both the 90/10 and 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. Thus, tenderers are required to indicate number of points in line with their B-BBEE Status Level and Ownership

No	The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Means of verification	Number of points claimed (80/20 system) (To be completed by the tenderer)
A	BBBEE Level 1 - 4	10	BBBEE or Sworn affidavit submitted with the bid	
B	Women owned Enterprises	5	Central Supplier Database	
C	Enterprises owned by Disable people	5	Medical report	
D	Total point claimed	D= A + B + C		

5. SUBMISSIONS BY CONSORTIUMS AND JOINT VENTURES

5.1 If a submission is made by a consortium or Joint Venture, the points claimed for ownership must be detailed separately on an attachment showing the following:

- The percentage (%) of the contract allocated to each JV member or consortium member. This should also be included in an agreement to be made available on request by C-BRTA
- The percentage ownership by race category of each JV member or consortium member in each of the specific goals relevant to this bid.
- The total points claimed will be the sum of the percentage contract allocation for each partner multiplied by the percentage weighting for the race category, multiplied by the percentage ownership in the relevant specific goal.

6. DECLARATION WITH REGARD TO COMPANY/FIRM

6.1. Name of company/firm.....

6.2. Company registration number:

6.3. 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]

6.4. 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:

.....

.....