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Department:
Economic Development, Environment,
Conservation and Tourism
North West Provincial Government
REPUBLIC OF SOUTH AFRICA



NWDC Building, Cnr.
University
& Provident Street,
MMABATHO 2735

SUPPLY CHAIN MANAGEMENT

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1. TERMS OF REFERENCE

REVIEW AND ALIGN THE ORGANISATIONAL STRUCTURE FOR DEDECT IN THE NORTH WEST PROVINCE.

1.1. PURPOSE

To appoint a probable service to review and re-align the organizational structure of DEDECT with generic structure of Economic Development Services and Programme 1 (Administration) in the Public Service as developed by the Department of Public Service and Administration.

1.2. BACKGROUND

In line with organizational design principles applicable in the public service, a review of organizational structure may be triggered by a number of factors ranging from transfer of functions, cost containment measures and capacity constraints. The institution has undergone a major structural and capacity constraints that precipitated the need for review of the organizational structure such as:

- 1.2.1 Transfer of Environmental Services to DEDECT.
- 1.2.2 Transfer of Department of Tourism to DEDECT.
- 1.2.3 Transfer of Department of Economic Development to DEDECT.
- 1.2.4 Alignment to seventh (7th) Administration priorities.

1.3. OBJECTIVES

The objectives of the project are as follows:

- 1.3.1.** To assist DEDECT to exclusively focus on its mandate of overseeing governance in Province as outlined in the Constitution of the Republic of South Africa
- 1.3.2.** To assist DEDECT to achieve its principle of doing more with less, through the review and realignment of the existing organizational structure with the generic structure as developed by the Department of Public Service and Administration.
- 1.3.3.** Evaluate and advice on related functions, activities and location of various services in DEDECT as mirrored in the genetic structure of Economic Development and Programme 1 (Administration) developed by the Department of Public Service and Administration.

1.4. METHODOLOGY

The broad areas of work for the review exercise are as follows:

- 1.4.1.** Diagnostic (Mandate, Strategy and Functional area analysis);
- 1.4.2.** Determine organizational requirements;
- 1.4.3.** Develop a Service Delivery Model for the Department and conduct process analysis.
- 1.4.4.** Design a functional structure and align to the generic structure of Economic Development Programme 1.
- 1.4.5.** Determine staff establishment requirements by developing Job Descriptions and conducting Job Evaluation as well as embarking in benchmarking process.
- 1.4.6.** Assess the costs implications in line with the costing template.
- 1.4.7.** Completion of a full business case for consideration by the Premier and consultation with the Minister of Public Service and Administration.
- 1.4.8.** Develop a change Management and Communication Strategy.
- 1.4.9.** Develop the implementation plan.
- 1.4.10.** Embark on the Business Process Mapping exercise.
- 1.4.11.** Embark on the Matching-and-Placing exercise.

1.5. SCOPE OF WORK AND DELIVERABLES

The appointed service providers will undertake the following by including them in their project plan with timeframe:

- 1.5.1.** Diagnostic (Mandate, Strategy and functional area analysis)
- 1.5.2.** Determine organizational requirements.
- 1.5.3.** Develop a Service Delivery Model for DEDECT and conduct process analysis.
- 1.5.4.** Design a proposed functional structure (macro and micro) and align to the Generic Organizational Structure of Department
- 1.5.5.** Present 3 options of the proposed macro-structure to the Management.
- 1.5.6.** Determine staff establishment requirements by developing job descriptions and conducting job Evaluation as well as embarking in a benchmarking process.
- 1.5.7.** Assess the costs implications in line with the costing template.
- 1.5.8.** Completion of a full business case for consideration by the Premier and consultation with the Minister of Public Service and Administration.
- 1.5.9.** Develop a Change Management and Communication Strategy.
- 1.5.10.** Develop the implementation plan.
- 1.5.11.** Hold consultation meetings with management and organized labor on a regular basis.

IN DOING SO TAKE INTO ACCOUNT THE FOLLOWING KEY FACTORS

- The three(3) Entities of the Department, like NWDC, Gambling Board, as well as, Park and Tourism Board
- Transfer of Environmental Services to DEDECT.
- Transfer of Department of Tourism to DEDECT
- Transfer of Department of Economic Development to DEDECT.

1.6. QUALIFICATIONS AND EXPERIENCE OF THE SERVICE PROVIDER

Suitable bidder should possess the qualifications, skills and competencies as listed below:

FORMAL QUALIFICATIONS

Management Services/Operations Management/Human Resource Management.

SKILLS AND COMPETENCIES

- Organizational Design (structure) and utilization of OrgPlus software.
- Public Service Operations Management.
- Business Process Management.
- Strategic Planning.
- Job evaluation and grading within the Public service.
- Benchmarking within the Public Service.
- Work-study processes.

1.7. PRICING AND DISBURMENT

1.7.1. The bidder must complete SBD form 3.3 for professional services

1.7.2. The price must be inclusive of value added tax for Vat registered companies.

1.7.3. Mafikeng/Mmabatho will be considered in instances where travelling is required outside Mafikeng/Mmabatho. Disbursements must be pre-approved by the North West Office of the Premier in line with National Treasury Cost Containment Policy

1.7.4. Payment will be made in line with the 4 below phases:-

Phase 1	<ul style="list-style-type: none">• Diagnostic(Mandate, Strategy and Functional area analysis)• Determine organizational requirements.• Develop a service Delivery Model for the Office and conduct process analysis• Develop A Change Management and Communication Strategy	25%
Phase 2	<ul style="list-style-type: none">• Design a proposed functional structure (macro and micro) and align to the generic organisational structure of the offices of the Premier.• Present 3 options of the proposed macro-structure to the management	25%
Phase 3	<ul style="list-style-type: none">• Determine staff establishment requirements by developing job descriptions and	25%

	<p>conducting job evaluation as well as embarking on a benchmarking process.</p> <ul style="list-style-type: none"> • Assess the costs implications in line with the costing template. • Completion of a full business case for consideration by the Premier and consultation with the minister of Public Service and Administration. • Develop the implementation/migration plan. 	
Phase 4	<ul style="list-style-type: none"> • Approved organizational structure and a close out report 	25%

1.8. OBLIGATIONS OF THE OFFICE OF THE DEPARTMENT

- 1.8.1.** The Department shall avail data and information required and requested by the service provider for proper execution of services, and such assistance shall reasonably be required by the service provider in carrying out their duties under this contact;
- 1.8.2.** Provide access to ORGPLUS system;
- 1.8.3.** Provide the generic structure of the Economic Development, as well as, Programme 1.
- 1.8.4.** Submit the reviewed structure to Department of Public Service & Administration for final approval.

1.9. OBLIGATIONS OF THE SERVICE PROVIDER

- 1.9.1.** To act as an independent contractor in respect of work;
- 1.9.2.** To attend meetings with officials of the Department whenever required to do so for the purpose of obtaining information or advance in regard to the work and assignments or any matters arising there from or in connection therewith;
- 1.9.3.** Be responsible for own resources (e.g. computers, laptops and all other working tools) to adequately perform functions.
- 1.9.4.** To exercise all reasonable skills, care and diligence in execution of work and shall carry out their obligations in accordance with International Professional Standards;
- 1.9.5.** Be professional in all matters and act as faithful advisor to the Department as well as respecting laws and customs of the country and provinces in which any business in relation to the project is conducted;

- 1.9.6. To identify possible risks that may impact the delivery of the project on time and ensure that necessary mechanisms are in place to manage such risks;
- 1.9.7. To protect all copyrights and intellectual property to all documentation, reports and others, that emanate from this assignment. Such information and documentation should be provided to the Accounting Officer upon completion of assignment within 7 working days.
- 1.9.8. To treat all available data provided by the Department in the process as strictly confidentiality which is not for any form of distribution or use unless an express written approval is obtained from the Accounting Officer.

1.10. DURATION OF THE CONTRACT

- 1.10.1. The duration of the contract will be for a period of (4) months from the date of service as indicated in the contract SBD 7.2 that will be signed by both parties.

1.11. CONTRACT MANAGEMENT

- 1.11.1. The service will be managed in terms of the General Conditions of Contract (GCC), The service level agreement, SBD 7.2 and other additional agreements from both parties and all conditions set out in this tender document.

NB: Acceptance of the tender is also subject to the condition that the contractor will implement deliverables as outlined.

1.12. COMMENCEMENT OF WORK

The Bidder must be in a position to commence the work within 5 working days after award of contract.

1.13. CANCELLATION OF CONTRACT AND PENALTIES

DEDECT reserves the right to cancel the contract if the service provider fails to adhere to the conditions of the contract and apply penalties where necessary. Office of the Premier shall demand that the service provider return any/or all documents and information in terms of the agreement.

Department shall apply penalties whenever it is necessary to do so.

1.14. VETTING

Acceptance of this tender is subject to the condition that both the contractor and its personnel must be cleared by the appropriate authorities to the level of confidentiality.

Obtaining a positive recommendation is the responsibility of the contracting firm concerned. If the principal contractor appoints a sub-contractor the same provisions and measures will apply to the sub-contractor.

2. EVALUATION CRITERIA

This bid will be evaluated in 4 stages.

2.1. STAGE 1- DISQUALIFICATION CRITERIA

Bidders will automatically be disqualified if they fail to comply with the below listed requirements

2.1.1. Bidders who failed to indicate the total bid price on SBD 3.3.

2.1.2. Bidders who do not have experience of OrgPlus and relevant qualification, which are; Management Services, Operations Management and Human Resource Management.

2.2. STAGE 2-VERIFICATION OF ADMINISTRATIVE REQUIREMENTS

2.2.1. SBD 1- Invitation to bid- all requirements and conditions stated apply.

2.2.2. SBD 3-3 Pricing schedule for professional services.

2.2.3. SBD 4- Declaration of interest

2.2.4. SBD 6.1.

2.2.5. Availability of Joint venture agreement where applicable.

In case of joint venture, trust or consortium all of the following will apply:

2.2.6. A copy of joint venture agreement signed by all parties must be attached;

2.2.7. Separate Tax Pin for each supplier

2.3. STAGE 3- EVALUATION OF FUNCTIONALITY

Please attach the required documentation for reference in order to be evaluated at this stage. All requirements are listed on the below table as applicable per criterion.

No	Criterion	Weight
1	<p>Number of years a company has been in operation and the 20% key activities of the company are of similar nature.</p> <p>Submit the following documents to be evaluated on this criterion.</p> <ul style="list-style-type: none"> • Company registration certificate. • Company profile in line with paragraph 7.5 of this document <p>Authenticity of information will be verified by linking this criterion to criterion 2 below.</p>	20%
	3-4 years of existence in the similar projects= 10	
	5 and above years of existence in the similar projects = 20	
2	<p>Number of organizational structures developed in the public service. For purposes of this criteria the definition of public service is defined in terms of the Public Service Management Act, 2014 which reads as follows:</p> <p>Public Service" means all"</p> <ol style="list-style-type: none"> a) National Departments, b) National government components listed in part A of schedule 3 to the Public Service Act, c) Provincial departments which means <ul style="list-style-type: none"> • The office of the Premier listed in Schedule 1 of the Public Service Act, and • Provincial Departments listed in Schedule 2 of the Public Service Act and d) Provincial government components listed in part B of schedule 3 to the Public Service Act, and their employees. 	15%

	<p>Submit the following documents to be evaluated on this criterion.</p> <p>Reference letters that are duly signed and dated by the referee, indicating the description of the project, value and the name of the organization where work was done.</p> <p>(NB: each reference letter will be treated as one assignment)</p>	
	1 to 3 assignments =10	
	4 to 6 assignments =13	
	7 and above = 15	
3	<p>Evaluation on ability to complete the project within envisaged 4 months' period.</p> <p>Please attach a project plan indicating time frames as guided by SBD 3.3 of this document.</p>	15%
	Project plan indicating 4 months as completion period = 15	
	Project plan indicating less than 4 months as completion period 4 months=10	
4	<p>Methodology</p> <p>The project proposal from bidder(s) should outline a methodology which seeks to address all requirements (especially as listed in section 7 of this document) for delivery of quality product. In addition, the methodology</p>	20%

	<p>should give special attention to paragraph 7.5 and shall be scored in the following manner:</p> <ul style="list-style-type: none"> • Proposals that addresses paragraph 7.5 key factors 1 to 4 =5 • Proposals that addresses paragraph 5 key factors 5 to 8 = 10 • Proposals that addresses paragraph 5 key factors 09-12=15 • Proposals that addresses 13 and above paragraph 5 key factors =20 <p>NB: The methodology that does not address factors in paragraph 1.5 will not be awarded points. The appointed service provider will be obliged to address all key factors amongst others</p>	
5	<p>Academic Qualifications of 3 key personnel</p> <p>Who will be responsible for the project?</p> <p>Please provide names and attach copies of qualifications</p> <p>Relevant qualifications are:</p> <p>Management Services, Operations Management, Human Resource Management.</p>	10%

	(Points are not going to be allocated individually. Point will be allocated to the highest qualification in the team)	
	National Diploma = 4	
	Bachelor's Degree = 6	
	Honours Degree = 8	
	Master's Degree = 10	
	Combined experience of key personnel Please provide CVs of key personnel that indicates number of years and type of experience in developing organizational structures. The CV must have three contactable references.	20%
	1 years = 3	
	2 years = 5	
	3 years = 10	
	4 years and above = 15	
Total points		100%

NB: Service providers who fail to obtain a threshold of 60% (60/100) will be deemed non-responsive and shall not proceed to the next level of evaluation.

2.4. STAGE 4- EVALUATION ON 80/20 PREFERENTIAL POINTS SYSTEM

In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by the State on the 80/20-preference point system in terms of which points are awarded to bidders on the basis of:

- The bid price (maximum 80 points)
- B-BBEE status level of contributor (maximum 20 points)

The following formula will be used to calculate the points for price:

80

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

3. AWARD OF REQUEST FOR QUOTE (RFQ)

Procedurally the RFQ is awarded to the service provider who has complied with the terms of reference and other RFQ requirements. In addition to compliance, the service provider must have scored the highest points, where price and preferential points are combined.

4. CLOSING DATE

Sealed quotations must be deposited in a bid box situated at Department of Economic Development, Environment, Conservation and Tourism, Corner University Drive and Provident Street, Mmabatho on:

Closing Date: **28 May 2025**

Closing Time: **16H00**

Late quotations will not be considered. Please note that quotations are late if they are received at the address given in the terms of reference/ specification after the RFQ closing date and time.

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)							
BID NUMBER:		CLOSING DATE:		CLOSING TIME:			
DESCRIPTION							
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)							
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON				CONTACT PERSON			
TELEPHONE NUMBER				TELEPHONE NUMBER			
FACSIMILE NUMBER				FACSIMILE NUMBER			
E-MAIL ADDRESS				E-MAIL ADDRESS			
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?						<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:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT 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, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4.	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
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:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER: BID NO.:

CLOSING TIME 11:00

CLOSING DATE:

OFFER TO BE VALID FOR DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
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1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION

HOURLY RATE

DAILY RATE

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R.....

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R.....

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R.....

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R.....

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R.....

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5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

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R.....

..... days

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R.....

..... days

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R.....

..... days

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R.....

..... days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED

RATE

QUANTITY

AMOUNT

.....

.....

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R.....

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.....

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R.....

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.....

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R.....

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R.....

TOTAL: R.....

** "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance contributions and skills development levies.

Name of Bidder:

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....

TOTAL: R.....

6. Period required for commencement with project after acceptance of bid
7. Estimated man-days for completion of project
8. Are the rates quoted firm for the full period of contract? *YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.

*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –

(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –

(INSERT NAME OF CONTACT PERSON)

Tel:

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 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.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship

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.

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 consortium² 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

² 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.

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 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 is applicable for this invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included)

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.

1.3 Points for this tender:

- (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
Total points for Price and SPECIFIC GOALS	100

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 SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest 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:

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

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

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)

DECLARATION WITH REGARD TO COMPANY/FIRM

4.2. Name of company/firm.....

4.3. Company registration number:

4.4. 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]**

4.5. 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:

