

**KZN GROWTH FUND TRUST**  
**REQUEST FOR QUOTATION (RFQ)**  
**RE-ISSUE RFQ REFERENCE NUMBER – KGFT RFP 2023 - 16**  
**APPOINTMENT OF SERVICE PROVIDER TO REVIEW AND UPDATE FRAMEWORKS AND**  
**POLICIES**

Closing date : **14 February 2024**

Time : 12:00

Submission format : email [scm@kznqf.co.za](mailto:scm@kznqf.co.za)

**Name of the respondent:** .....

Late bids will not be accepted

**BID DETAILS**

Bid title : Re-issue Request for Quotation for Appointment of a Service Provider to Review and update Frameworks and Policies

Procurement Reference Number : KGFT - RFQ 2023 – 16

Description of Goods & Services : Review and update Frameworks and Policies

Date of RFP : 17 January 2024

Date of RFP CLOSING : 14 February 2024

**CONTACT INFORMATION**

Any enquiries regarding the bidding procedure may be directed to:

Procurement Officer: Sijabulile Ntshangase

Telephone: 031 372 3720

E-mail: [scm@kzngf.co.za](mailto:scm@kzngf.co.za)

**BIDDER’S DETAILS**

NAME OF BIDDER.....

POSTAL ADDRESS .....

STREET ADDRESS .....

CONTACT PERSON .....

TELEPHONE NUMBER Code ..... Number .....

CELL PHONE NUMBER Code ..... Number .....

FACSIMILE NUMBER Code ..... Number .....

E-MAIL ADDRESS .....

**Signature of Bidder** ..... **Date** .....

## **1. PURPOSE**

The Kwazulu-Natal Growth Fund Trust (KGFT) invites quotations from suitably qualified service providers to assist KGFT to review and update frameworks and policies.

## **2. BACKGROUND**

KZN Growth Fund Trust (KGFT) is a Trust, established and capitalised by the Provincial Government to provide debt and equity. The main objective of the KGFT is to provide support for creating and enabling environment for activities that create jobs and accelerate the economic development of KZN whilst promoting Broad Based Black Economic Empowerment (B-BBEE).

### **2.1 Procurement Philosophy**

It is the policy of KGFT, when purchasing goods and obtaining services to follow a course of optimum value and efficiency by adopting best purchasing practices in supply chain management, ensuring that open and fair competition has prevailed, with due regard being given to the importance of:

- a) The promotion, development, and support of businesses from disadvantaged communities (small, medium, micro enterprises, as well as established businesses within those communities) in terms of its BEE Policy;
- b) The promotion of national and regional local service providers and agents before considering overseas service providers and;
- c) The development, promotion and support for the moral values that underpin the above, in terms of KGFT Business Ethics and Guidelines which requires that all commercial conduct be based on ethical and moral values and sound business practice. This value system governs all commercial behaviour within KGFT.

The KGFT wishes to engage with service providers who are equally committed to maintain high quality services and better pricing.

In line with the requirements of the PFMA and Treasury Regulations, the KGFT seeks to appoint a duly qualified service provider to provide a Risk Management services to the KGFT.

### **3. OBJECTIVE**

The objective of this bid is to appoint a suitably qualified and experienced service provider to provide a Risk Management services to the KGFT. The primary objectives of the service required are as follows:

To ensure that KGFT Board and Management are equipped with the relevant information to be able to discharge their responsibilities efficiently and effectively.

- To develop the KGFT risk appetite and tolerance levels to be recommended to the board in line with the best business practice and norms.
- To conduct organisation wide risk assessment for input into the development of the risk appetite and tolerance levels.
- Assessment of the risk maturity level of the organisation and make recommendation to board in line with Treasury classification.
- To identify areas of improvement on the KGFT ERM policy and framework and all related policies.
- To facilitate a strategic risk workshop with the board to ensure that strategic, operational, credit and all enterprise risks that can impede KGFT from achieving its strategic objectives efficiently and economically are identified and assessed in line with KGFT Enterprise Wide Risk Management (ERM) policy and methodology.

#### 4. SCOPE OF WORK

The successful service provider will provide Risk Management services to the KGFT. The service provider will be expected to deliver amongst others the following key requirements:

| SCOPE OF WORK   | DELIVERABLES   |
|---|--|
| Conduct a risk maturity assessment for the KZN Growth Fund  | Risk Culture Survey<br>Risk Management Maturity Analysis Tool Development<br>Completing the Risk Maturity Analysis Tool (Gap Analysis)<br>Risk Management Roadmap Engagement Session with Key Role Players   |
| Facilitate and report on Strategic Risk Assessment  | Produce complete, accurate and valid 2022/2023 Strategic Risk Assessment Report and Risk Profile   |
| Facilitate and develop <b>the KGFT's risk appetite and tolerance</b> levels by: <ul style="list-style-type: none"> <li>• focusing on qualitative and quantitative tolerance levels for KGFT.</li> <li>• engaging with members on the risk appetite threshold for KGFT; and</li> <li>• engaging with the CFO on the KGFT Materiality Framework.</li> </ul> | Engagement for Additional Detail<br>Development of a risk appetite and tolerance statement<br>Produce a risk appetite and tolerance levels report with KRIs.   |
| Conduct assessment status of the current ERM maturity levels of the organisation and recommend;   | <b>Produce the following:</b> <ul style="list-style-type: none"> <li>• Risk Management Maturity Assessment methodology</li> <li>• Risk Management Maturity report with key findings, areas of improvements and recommendations.</li> <li>• Formulate a three (3) year risk Maturity</li> <li>• Improvement Plan based on the risk maturity assessment outcomes.</li> </ul>   |
| Conduct an Operational Risk Assessment  | <b>Provide the following:</b> <ul style="list-style-type: none"> <li>▪ Risk assessment reports</li> <li>▪ Workshop on Operational risk findings.</li> <li>• Risk registers for all functional areas of the organisation per below:               <ol style="list-style-type: none"> <li>1. Finance unit (Reports to Chief Financial Officer)<br/>-SCM</li> </ol> </li> </ul> |

|   |   |
|---|---|
|   | <ul style="list-style-type: none"> <li>-Management accounts</li> <li>-Financial accounts</li> <li>-IT</li> <li>2. HR department (reports to the CEO) <ul style="list-style-type: none"> <li>-HR Administration &amp; payroll</li> <li>-Marketing</li> </ul> </li> <li>3. Corporate governance (reports to the Company Secretary)</li> <li>4. Projects department / projects investment unit (reports to the Chief Investment Officer)</li> <li>5. Risk, Legal Compliance &amp; ESG (reports to the Chief Risk Officer) <ul style="list-style-type: none"> <li>-Credit and Post Investment department</li> <li>-Legal &amp; Recoveries</li> <li>-Compliance</li> <li>-Risk (EWRM)</li> <li>-ESG</li> </ul> </li> </ul> |
| <p>Identify areas for improvement and provide recommendations on the overall organizational risk management policy and strategy including appropriate tools and techniques for identifying, assessing and responding to risks</p> | <p><b>Revised and updated:</b></p> <ul style="list-style-type: none"> <li>• Risk framework strategy</li> <li>• Enterprise-Wide Risk Management Policy and Strategy</li> <li>• Risk management Policy</li> <li>• Risk appetite statement</li> <li>• Risk Maturity assessment methodology</li> <li>• Combined assurance framework</li> <li>• Risk framework minimum standards for specialised risks</li> </ul>  |
| <p>RISK MANAGEMENT TRAINING AND AWARENESS</p>   | <ul style="list-style-type: none"> <li>• Facilitating Training (incl recording Awareness Training and manuals)</li> <li>• Strategic Risk and Opportunity Assessment Steps</li> <li>• Provide Workshop Report</li> <li>• Train Risk Champions</li> </ul>   |

**The workshop will address the following risk management phases:**

**4.1 Planning**

- 4.1.1 Research and discuss the strategic risks, mitigations and control improvements of the organisation with key stakeholders and executive management;
- 4.1.2 Survey the status of enterprise risk management and strategic risks of the organization with key stakeholders and executive management;
- 4.1.3 Prepare training material for enterprise-wide risk management training to the Management and Board members;

#### **4.2 Execution**

Conduct training in enterprise-wide risk management to the Management and Board;

- 4.2.1 Review and update of KGFT's risk appetite and tolerance statement;
- 4.2.2 Conduct assessment status of the current ERM maturity levels of the organisation; and
- 4.2.3 Review and update the organisational Enterprise Risk Management (ERM) policy and framework.

#### **4.3 Reporting**

- 4.3.1 Provide a status on the ERM Maturity levels of the organisation;
- 4.3.2 Provide a report on the risk appetite and tolerance levels; and
- 4.3.3 Provide a schedule of areas of improvement identified on the ERM policy and framework.

#### **4.4 Participants/Stakeholders**

The following are key stakeholders of the workshop:

- 4.4.1 Management and
- 4.4.2 Board Members.

#### **4.5 Sub-contracting**

The service provider must clearly specify if part of the work will be subcontracted – the maximum is 25% and sub-contractor is subject to assessment same as a joint venture.

#### **4.6 Reporting Requirements**

The service provider shall report to the Acting Chief Risk Officer (ACRO).

### **5. CONTRACT DURATION**

The Services will be provided over a 6 (six) month period.

### **6. AWARD OF THE RFP**

KGFT is not obliged to accept and award this tender to the lowest bidder or any other bidder.

### **7. EVALUATION PROCESS AND CRITERIA**

Selection will be conducted over three stages as detailed below:

#### **Stage 1 - Compliance with Minimum Requirements**

#### **Stage 2 - Functionality**

#### **Stage 3 – Price and Specific Goals**

#### **7.1 STAGE 1 – COMPLIANCE WITH MANDATORY REQUIREMENTS**

7.1 All proposals must be completed and accompanied by:

7.1.1 SBD 1, SBD 4 and SBD 6.1

7.1.2 Company Profile

7.1.3 Evidence of registration on the National Treasury Central Supplier Database (or proof of registration);

7.1.4 Tax Compliance Status Pin on SARS Letterhead

**All bids duly lodged as specified in this RFQ will be examined to determine compliance with the mandatory requirements and conditions. Failure to provide any mandatory information as requested above will result in the submission being deemed non-responsive.**

## 7.2 FUNCTIONALITY EVALUATION

Scores will be tabulated to 100 points. Respondents must score 70 points and over to be assessed on their financial offer and preference score.

The allocation of points for the evaluation of quality/functionality is set out in Table 1 below:

| FUNCTIONAL EVALUATION CRITERIA  | Weight           |
|---|------------------|
| <p><b>Company Experience</b></p> <p>The service provider must have a minimum of five (5) years' experience or more in providing the required service as per Annexure A.</p> <p>The company must demonstrate experience in the required services.</p> <ul style="list-style-type: none"> <li>a. The bidder has demonstrated the experience and have more than fifteen (15) years' experience = 30 points</li> <li>b. The bidder has demonstrated the experience and have ten (10) years' experience = 15 points</li> <li>c. The bidder has demonstrated the experience and have five (5) years' experience = 10 points.</li> <li>d. The bidder has demonstrated the experience and have less than five (5) years' experience = 0 points</li> </ul> | <p><b>30</b></p> |
| <p><b>Reference Letters</b></p> <p>Reference letters must be relevant to scope of work listed under point 4</p> <ul style="list-style-type: none"> <li>a. 5 Letters of Reference relevant to the scope of work – 30 points.</li> <li>b. 4 Letters of Reference relevant to the scope of work – 20 points.</li> <li>c. 3 Letter of Reference relevant to the scope of work – 15 points.</li> <li>d. 2 Letter of Reference relevant to the scope of work – 10 points.</li> <li>e. 1 Letter of Reference relevant to the scope of work – 5 points.</li> </ul> <p><b>Letters must be on company letterhead, signed, and dated. Letters must not be older than 5 years.</b></p>  | <p><b>30</b></p> |



| FUNCTIONAL EVALUATION CRITERIA   | Weight     |
|--|------------|
| <p><b>Location of Offices</b></p> <p>a. Office in Kwazulu-Natal (KZN) (10 points)</p> <p>b. Office outside of Kwazulu-Natal (KZN) (5 points)</p> <p>Evidence in form of Lease agreement or Municipal Bill</p>  | <b>10</b>  |
| <p><b>Experience of the Team</b></p> <p>Provide the qualifications, experience and professional competencies and affiliations in Enterprise Risk Management of the lead consultant to be used to provide the service.</p> <p><b>Qualifications:</b></p> <p>Must provide proof of qualifications (must be registered with a professional Risk Management Institution eg Institute of Risk Management SA), experience, and professional competencies in Enterprise Risk Management</p> <p>a. Complies with all requirements as indicated above. Relevant experience more than 15 years = 30 points</p> <p>b. Complies with all requirements as indicated above. Relevant Experience more than 10 years but less than 15 years = 20 points.</p> <p>c. Complies some of the requirements as indicated above. Experience amongst team members more than 6 years but less than 10 years =10 points</p> <p>d. Complies with all requirements as indicated above. Relevant experience is 5 years = 5 points.</p> | <b>30</b>  |
| <b>TOTAL</b>   | <b>100</b> |

**Note: Failure to obtain the minimum of 70 out of 100 on functionality will result in disqualification from further evaluation.**

### 7.3 STAGE 2 - PRICE AND SPECIFIC GOALS

7.3.1 Proposals will be subject to an evaluation based on an 80/20 - 80 points for price and 20 points for specific goals.

7.3.2 Fixed price is required; price must be inclusive of VAT and all costs relating to disbursements and accommodation.

| Evaluation                            | Maximum points to be awarded |
|---------------------------------------|------------------------------|
| Relative competitiveness of the price | 80                           |
| Specific Goals (see the below table)  | 20                           |

|                                      |            |
|--------------------------------------|------------|
| <b>Total Price and B-BBEE Points</b> | <b>100</b> |
|--------------------------------------|------------|

**SPECIFIC GOALS TABLE**

| <b>Preference Points 80/20 - Specific Goals</b> |  |        |            |           |      |              |
|---|--|--------|------------|-----------|------|--------------|
|   |  |        |            |           |      |              |
| <b>Management Control</b>                       |  |        |            |           |      |              |
|   |  | <30%   | <51%       | <100%     | 100% | Total Points |
| <b>BBE</b>                                      |  | 0      | 0.5        | 1.25      | 2.2  | 3.95         |
| <b>BWO</b>                                      |  | 0      | 0.5        | 1         | 1.5  | 3            |
| <b>BYO</b>                                      |  | 0      | 0.5        | 1         | 1.5  | 3            |
| <b>PWD</b>                                      |  | 0.25   | 0.3        | 0.5       | 1    | 2.05         |
|   |  |        |            |           |      | 12           |
| <b>Skills Development Measured</b>              |  |        |            |           |      |              |
|   |  |        |            |           |      |              |
|   |  | Blacks | Youth      | Women     | PWD  |              |
|   |  |        |            |           |      |              |
|   |  | 1      | 1          | 1         | 1    |              |
|   |  |        |            |           |      | 4            |
| <b>Locality and establishment</b>               |  |        |            |           |      |              |
|   |  |        |            |           |      |              |
|   |  |        | <b>KZN</b> | <b>SA</b> |      |              |
|   |  |        |            |           |      |              |
|   |  |        | 2.5        | 1.5       |      | 4            |
|   |  |        |            |           |      |              |
| <b>Total</b>                                    |  |        |            |           |      | <b>20</b>    |

The following may be used as proof for claiming preference points

- BBBEE Certificate or BBBEE Affidavit
- CSD Report
- ID Documents of the owners of the company
- Municipal Account or Lease Agreement
- Doctors Certificate / disability database from relevant institutions (for more research)

**8. THE INFORMATION REQUIRED**

You are and required to provide the KGFT with a proposal, by **no later than 12:00pm on 14 February 2024.**

## 9. SUBMISSION DETAILS

- Submissions must be emailed to [scm@kzngf.co.za](mailto:scm@kzngf.co.za) attention **Sijabulile Ntshangase** by no later than the stipulated time above.
- For queries, you can contact Nothando Mabunda [nothando@kzngf.co.za](mailto:nothando@kzngf.co.za) during business hours of 8:00am to 4:30pm, Monday to Friday on 031 372 3720.

**Approved by**



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Nothando Mabunda  
**Acting Chief Risk Officer**

**ANNEXURE A - COMPANY EXPERIENCE EXAMPLE**

| Client Name/Sector of research | Scope of Work and deliverables | Date concluded (not more than 5 years ago) | Duration of Project |
|--------------------------------|--------------------------------|--|---------------------|
|                                |                                |  |                     |
|                                |                                |  |                     |
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|                                |                                |  |                     |

## 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 2023 – 16   | CLOSING DATE:   | 14 February 2024  | CLOSING TIME:   | 12h00 |
| DESCRIPTION   | <b>APPOINTMENT OF SERVICE PROVIDER TO REVIEW AND UPDATE FRAMEWORKS AND POLICIES</b>       |   |   |   |       |
| <b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>  |   |   |   |   |       |
| Via email to <a href="mailto:scm@kzngf.co.za">scm@kzngf.co.za</a>   |   |   |   |   |       |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>   |   |   | <b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>  |   |       |
| CONTACT PERSON  | Sijabulile Ntshangase   |   | CONTACT PERSON  | Nothando Mabunda  |       |
| TELEPHONE NUMBER  |   |   | TELEPHONE NUMBER  |   |       |
| FACSIMILE NUMBER  |   |   | FACSIMILE NUMBER  |   |       |
| E-MAIL ADDRESS  | scm@kzngf.co.za   |   | E-MAIL ADDRESS  | scm@kzngf.co.za   |       |
| <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:  |   | <b>OR</b>   | CENTRAL SUPPLIER DATABASE No:   | MAAA  |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE  | TICK APPLICABLE BOX]<br><input type="checkbox"/> Yes <input type="checkbox"/> No          |   | B-BBEE STATUS LEVEL SWORN AFFIDAVIT   | [TICK APPLICABLE BOX]<br><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<br><input type="checkbox"/> No<br><br>[IF YES ENCLOSE PROOF] | ARE YOU A FOREIGN BASED SUPPLIER FOR <b>THE GOODS /SERVICES /WORKS OFFERED?</b> | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><br>[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?   |   |   |   | <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

|  |
|--|
| <b>1. BID SUBMISSION:</b>  |
| <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>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></p> <p>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.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p>   |
| <b>2. TAX COMPLIANCE REQUIREMENTS</b>  |
| <p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>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.</p> <p>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."</p> |

**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.

| 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:  
 .....  
 .....

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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.

**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 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.

|                    |                         |
|--------------------|-------------------------|
| .....<br>Signature | .....<br>Date           |
| .....<br>Position  | .....<br>Name of bidder |

<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.



## 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 **To be completed by the organ of state**

*(delete whichever is not applicable for this tender).*

- a) ~~The applicable preference point system for this tender is the 90/10 preference point system.~~
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) ~~Either the 90/10 or 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:

|  | <b>POINTS</b> |
|--|---------------|
| <b>PRICE</b>                                     | 80            |
| <b>SPECIFIC GOALS</b>                            | 20            |
| <b>Total points for Price and SPECIFIC GOALS</b> | <b>100</b>    |

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)} \end{array}$$

Where

P<sub>s</sub> = Points scored for price of tender under consideration

P<sub>t</sub> = Price of tender under consideration

P<sub>min</sub> = 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:

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

Where

P<sub>s</sub> = Points scored for price of tender under consideration

P<sub>t</sub> = Price of tender under consideration

P<sub>max</sub> = 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 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 (90/10 system)<br>(To be completed by the organ of state) | Number of points allocated (80/20 system)<br>(To be completed by the organ of state) | Number of points claimed (90/10 system)<br>(To be completed by the tenderer) | Number of points claimed (80/20 system)<br>(To be completed by the tenderer) |
|---|--|--|--|--|
| BBE   | /  | 3,95   | /  |  |
| BWO   |  | 3.00   |  |  |
| PWD   |  | 2.05   |  |  |
| BYO   |  | 3.00   |  |  |
| Skill Development   |  | 4.00   |  |  |
| Locality  |  | 4.00   |  |  |
|   |  |  |  |  |

**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.

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